



## INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(51) International Patent Classification: <b>A61K 48/00</b>	A2	(11) International Publication Number: <b>WO 00/21575</b> (43) International Publication Date: 20 April 2000 (20.04.2000)
(21) International Application Number: <b>PCT/US99/21453</b>	Published	
(22) International Filing Date: 14 October 1999 (14.10.1999)		
(30) Priority Data: 09/172,685 15 October 1998 (15.10.1998) US		
(60) Parent Application or Grant CANJI, INC. [/]; () ATENCIO, Isabella, A. [/]; () LAFACE, Drake, M. [/]; () RAMACHANDRA, Muralidhara [/]; () SHABRAM, Paul, W. [/]; () MURPHY, Richard, B. ; ()		
(54) Title: CALPAIN INHIBITORS AND THEIR APPLICATIONS (54) Titre: INHIBITEURS DE CALPAINE ET APPLICATIONS DE CES INHIBITEURS		
(57) Abstract		
<p>The present invention provides a method to enhance apoptosis in a cell by the administration of p53 in combination with a calpain inhibitor. The present invention provides a method of increasing the infectivity of a cell to a viral vector by treatment of the cell with a calpain inhibitor. The present invention further provides a method of enhancing transcription of a therapeutic transgene from the CMV promoter. The present invention also provides a method of suppressing the in vivo CTL response to viral vectors by the use of calpain inhibitors. The present invention further provides a pharmaceutical formulation of p53 and a calpain inhibitor in a pharmaceutically acceptable carrier. The present invention provides a method of ablating neoplastic cells in a mammalian organism in vivo by the co-administration of a calpain inhibitor and p53. The present invention also provides a method of ablating neoplastic cells in a population of normal cells contaminated by said neoplastic cells ex vivo by the administration of a recombinant adenovirus in combination with a calpain inhibitor to said population.</p>		
(57) Abrégé		
<p>Cette invention concerne un procédé qui permet d'accroître l'apoptose dans une cellule et qui consiste à administrer du p53 combiné à un inhibiteur de calpaïne. Cette invention concerne également un procédé qui permet d'accroître l'infectivité d'une cellule par un vecteur viral et qui consiste à traiter la cellule à l'aide d'un inhibiteur de calpaïne. Cette invention concerne en outre un procédé permettant d'accroître la transcription d'un transgène thérapeutique à partir du promoteur CMV. Cette invention concerne aussi un procédé permettant de supprimer la réponse CTL in vivo à des vecteurs viraux à l'aide d'inhibiteurs de calpaïne. Cette invention concerne également des formulations pharmaceutiques de p53 et d'un inhibiteur de calpaïne dans un excipient acceptable sur le plan pharmaceutique. Cette invention concerne aussi un procédé d'ablation in vivo de cellules néoplastiques dans l'organisme d'un mammifère, lequel consiste à effectuer l'administration conjuguée d'un inhibiteur de calpaïne et de p53. Cette invention concerne enfin un procédé d'ablation de cellules néoplastiques ex vivo dans une population de cellules normales qui a été contaminée par lesdites cellules néoplastiques, lequel procédé consiste à administrer une combinaison d'un adénovirus recombinant et d'un inhibiteur de calpaïne à ladite population.</p>		

PCT

WORLD INTELLECTUAL PROPERTY ORGANIZATION  
International Bureau



INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(51) International Patent Classification <sup>7</sup> : <b>A61K 48/00</b>		A2	(11) International Publication Number: <b>WO 00/21575</b>  (43) International Publication Date: 20 April 2000 (20.04.00)
<p>(21) International Application Number: PCT/US99/21453 (22) International Filing Date: 14 October 1999 (14.10.99)  (30) Priority Data: 09/172,685 15 October 1998 (15.10.98) US</p> <p>(71) Applicant: CANJI, INC. [US/US]; 3525 John Hopkins Court, San Diego, CA 92121 (US).</p> <p>(72) Inventors: ATENCIO, Isabella, A.; 7873 Avenida Navidad #261, San Diego, CA 92122 (US). LAFACE, Drake, M.; 8989 Scorpius Way, San Diego, CA 92126 (US). RAMACHANDRA, Muralidhara; 14536 North Church Square, San Diego, CA 92128 (US). SHABRAM, Paul, W.; 149 Peppertree Lane, Olivenhain, CA 92024 (US).</p> <p>(74) Agents: MURPHY, Richard, B. et al.; Schering-Plough Corporation, Patent Dept., K-6-1 1990, 2000 Galloping Hill Road, Kenilworth, NJ 07033-0530 (US).</p>		<p>(81) Designated States: AE, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, CA, CH, CN, CR, CZ, DE, DK, DM, EE, ES, FI, GB, GD, GE, HR, HU, ID, IL, IN, IS, JP, KG, KR, KZ, LC, LK, LR, LT, LU, LV, MA, MD, MG, MK, MN, MX, NO, NZ, PL, PT, RO, RU, SE, SG, SI, SK, SL, TJ, TM, TR, TT, TZ, UA, UZ, VN, YU, ZA, ARIPO patent (GH, GM, KE, LS, MW, SD, SL, SZ, TZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GW, ML, MR, NE, SN, TD, TG).</p> <p>Published <i>Without international search report and to be republished upon receipt of that report.</i></p>	
<p>(54) Title: CALPAIN INHIBITORS AND THEIR APPLICATIONS</p> <p>(57) Abstract</p> <p>The present invention provides a method to enhance apoptosis in a cell by the administration of p53 in combination with a calpain inhibitor. The present invention provides a method of increasing the infectivity of a cell to a viral vector by treatment of the cell with a calpain inhibitor. The present invention further provides a method of enhancing transcription of a therapeutic transgene from the CMV promoter. The present invention also provides a method of suppressing the <i>in vivo</i> CTL response to viral vectors by the use of calpain inhibitors. The present invention further provides a pharmaceutical formulation of p53 and a calpain inhibitor in a pharmaceutically acceptable carrier. The present invention provides a method of ablating neoplastic cells in a mammalian organism <i>in vivo</i> by the co-administration of a calpain inhibitor and p53. The present invention also provides a method of ablating neoplastic cells in a population of normal cells contaminated by said neoplastic cells <i>ex vivo</i> by the administration of a recombinant adenovirus in combination with a calpain inhibitor to said population.</p>			

**FOR THE PURPOSES OF INFORMATION ONLY**

Codes used to identify States party to the PCT on the front pages of pamphlets publishing international applications under the PCT.

AL	Albania	ES	Spain	LS	Lesotho	SI	Slovenia
AM	Armenia	FI	Finland	LT	Lithuania	SK	Slovakia
AT	Austria	FR	France	LU	Luxembourg	SN	Senegal
AU	Australia	GA	Gabon	LV	Latvia	SZ	Swaziland
AZ	Azerbaijan	GB	United Kingdom	MC	Monaco	TD	Chad
BA	Bosnia and Herzegovina	GE	Georgia	MD	Republic of Moldova	TG	Togo
BB	Barbados	GH	Ghana	MG	Madagascar	TJ	Tajikistan
BE	Belgium	GN	Guinea	MK	The former Yugoslav Republic of Macedonia	TM	Turkmenistan
BF	Burkina Faso	GR	Greece	ML	Mali	TR	Turkey
BG	Bulgaria	HU	Hungary	MN	Mongolia	TT	Trinidad and Tobago
BJ	Benin	IE	Ireland	MR	Mauritania	UA	Ukraine
BR	Brazil	IL	Israel	MW	Malawi	UG	Uganda
BY	Belarus	IS	Iceland	MX	Mexico	US	United States of America
CA	Canada	IT	Italy	NK	Niger	UZ	Uzbekistan
CF	Central African Republic	JP	Japan	NL	Netherlands	VN	Viet Nam
CG	Congo	KE	Kenya	NO	Norway	YU	Yugoslavia
CH	Switzerland	KG	Kyrgyzstan	NZ	New Zealand	ZW	Zimbabwe
CI	Côte d'Ivoire	KP	Democratic People's Republic of Korea	PL	Poland		
CM	Cameroon	KR	Republic of Korea	PT	Portugal		
CN	China	KZ	Republic of Kazakhstan	RO	Romania		
CU	Cuba	LC	Saint Lucia	RU	Russian Federation		
CZ	Czech Republic	LJ	Liechtenstein	SD	Sudan		
DE	Germany	LK	Sri Lanka	SE	Sweden		
DK	Denmark	LR	Liberia	SG	Singapore		

**Description**

5

10

15

20

25

30

35

40

45

50

55

5

TITLE

10

Calpain Inhibitors and their Applications

5 BACKGROUND OF THE INVENTION

15

Programmed cell death is a natural process by which an organism eliminates particular cells in a regulated process. Programmed cell death pathways are initiated by a variety of stimuli, some internal to the cell (e.g. DNA damage) while others are activated as a result of external factors (e.g. fas ligand). To date, a single mediator of apoptosis has not been elucidated. Rather, a variety of apoptotic mechanisms are in a potential state for response at all times. The fact that many molecules are identified as possessing both pro- and anti-apoptotic activity (e.g. caspases, NF- $\kappa$ B, AP1, and p53), there appears to be a fine balance of factors which permit survival or terminate the cell.

20

10 While no single mediator of apoptosis has been identified, mutations in p53 are recognized as the most common genetic alterations associated with human cancer, diseases characterized by aberrant regulation of cell cycle control and apoptosis. Although p53 was first characterized as a dominant cooperating

25

30 oncogene, it was later determined that the form of p53 under investigation at that time was a mutant, inactive and long-lived form of the wild-type protein. This mutant protein displaced the short-lived wild-type native form from its enzymatic substrate binding sites and was mistakenly deemed to act dominantly. p53 is now thought of as a tumor suppressor gene.

35

35 The sequence specific DNA binding properties of p53 regulate the transcription of a continually expanding number of genes involved in regulation of the cell cycle and apoptosis. p53 has been implicated in the transcriptional downregulation of the bcl2 gene and upregulation of the bax gene, precipitating a cascade of events leading to apoptosis. The complete mechanism of action of p53 is not fully elucidated. Though it is known that p53 binds to many important cellular proteins and is involved in the control of gene expression, cell cycle regulation and apoptosis, it is observed that some tumors produce wildtype p53, yet do not undergo apoptosis. The intracellular cytosolic concentration of p53 appears to be maintained by a balance of continual synthesis and degradation. p53 exists as an inactive cytosolic monomeric protein with a very short half-life. Increasing data support the view that, in normal cells, stability of p53 is controlled through mdm-2

40

45

50

5

binding and ubiquination, through an, as yet, incompletely understood mechanism. Binding of p53 to mdm-2 has been shown to lead to ubiquitination of p53 protein. Following ubiquitination, the p53 is believed to be degraded through a common proteasome mediated degradative pathway. p53 exerts its function as a tetramer of phosphorylated p53 subunits. The phosphorylation step leading to activation of p53 function is mediated by DNA-dependent protein kinase ("DNA-PK"). DNA-PK appears to be activated in response to DNA damage. Woo, *et al.* (1998) *Nature* 394:700-704; Lane, D. (1998) *Nature* 394:616-617.

While not the sole mechanism of apoptosis, the p53 apoptotic pathway is clearly an important pathway employed by the organism to eliminate aberrant cell types. p53 has been demonstrated to play a role in many biochemical pathways related to human carcinogenesis. In approximately 50% of human cancers, the p53 gene is inactivated through mutational, viral, or other cellular components. Somatic mutations in the DNA binding domain of p53 are found in the majority of human tumors bearing p53 alterations. It has been demonstrated that restoration of p53 function in p53 deficient tumor cells will induce apoptosis of tumor cells. Currently, replication defective recombinant adenovirus vectors expressing wildtype p53 (rAd-p53) are being used in human clinical trials (Nielsen and Maneval, 1998). To date, more than 137 human patients have been treated with rAd-p53. Initial results of these trials demonstrate acceptable safety profiles and therapeutic effect of such vectors *in vivo*.

Calpain, a calcium dependent cysteine protease, has recently been implicated to play a role in apoptosis. Calpain has two primary isoforms (m-calpain and  $\mu$ -calpain) distinguished by the calcium concentration required for their activation *in vitro*. Calpain consists of a heavy and light chain. The heavy chain consists of a cysteine proteinase domain. The light chain is a calcium binding domain and possesses four EF-hands characteristic of calcium binding proteins. The native form of calpain is inactive except at relatively high Ca<sup>+2</sup> concentrations. *In vitro* experiments indicate that  $\mu$ -calpain (also known as calpain I) requires  $\mu$ M calcium levels for activation. In contrast, m-calpain (also known as calpain II) requires a much higher (mM) calcium concentration for activation. Calpain is a cytosolic protease whose activity is modulated by the cytosolic inhibitor protein, calpastatin. Upon activation, calpain has been shown to translocate to the cell membrane where it is sequestered from its inhibitors (Lane *et al.*, 1992; Molinari and Carafoli, 1997).

50

-- 2 --

55

5

10

Additionally, calpain has been shown to possess *in vitro* proteolytic action against a broad range of substrates including components of receptor signaling pathways, interleukin receptors where the common cytokine receptor  $\gamma$  chain is cleaved by calpains (Noguchi, *et al.* (1997) Proc Natl Acad Sci U S A 94, 11534-9), cytoskeletal and focal adhesion proteins (Schoenwaelder, *et al.* (1997) J. Biol. Chem 272: 1694-702.), integrins (Du, *et al.* (1995) J Biol Chem 270, 26146-51; Inomata,*et al.* (1996) Arch Biochem Biophys 328, 129-34.; Palecek,*et al.* (1998) J. Cell Sci. 111, 929-40), and transcriptional factors such as c-fos and c-jun (Jariel-Encontre, I., Salvat, C., Steff, A. M., Pariat, M., Acquaviva, C., Furstoss, O., and Piechaczyk, M. (1997) Mol Biol Rep 24, 51-6.; Suzuki, K., Saido, T. C., and Hirai, S. (1992) Ann N Y Acad Sci 674, 218-27.), NF-kappa B (Claudio, *et al.* (1996) Exp Cell Res 224, 63-71.; Liu, *et al.* (1996) FEBS Lett 385, 109-13.), NF2 (Kimura, *et al.* (1998) Nature Medicine 4:915-922) and p53 (Gonen, *et al.* (1997) FEBS Lett 406, 17-22.; Kubbutat, M. H., and Vousden, K. H. (1997) Mol Cell Biol 17, 460-8.).

20

30

40

45

50

Although calpains demonstrate a broad range of substrates *in vitro*, its role *in vivo* remains unclear. As a consequence of their broad substrate specificity, the therapeutic applications suggested for calpain inhibitors include the prevention of neurodegradation and cellular damage caused by excessive activation of glutamate receptors in neuronal cells, retarding cataract formation, minimization of degeneration of neuronal tissues following injury, myocardial infarction, angioplastic restenosis, prevention of cartilage damage and subsequent inflammation, muscular dystrophy and platelet aggregation associated with thrombosis. *In vivo* experiments in mice and rats have shown that prior infusion of calpain inhibitors prevents neuronal and hepatocyte cell death due to hypoxia, and increases survival after orthotopic liver transplants. *In vitro*, calpain inhibitors have been observed to attenuate apoptosis in primary rat hepatocytes in response to a variety of apoptotic stimuli. Additionally, calpain inhibitors have been shown to inhibit activation-induced programmed cell death of T-cells from HIV positive donors (Sarin *et al.*, 1994). Calpain has been shown to cleave the precursor form of IL-1 $\alpha$  into a 17kD C-terminal fragment referred to as "mature" IL-1 $\alpha$  and a 16kD N-terminal fragment which migrates to the nucleus and induces apoptosis *in vitro*. In each of these instances, the primary application of the calpain inhibitor is to prevent cell death.

55

5

10

15

20

25

30

35

40

45

50

p53 gene therapy has focused on the use of recombinant viral, particularly adenoviral, vectors to result in the intracellular expression of p53. In such therapeutic regimens, a significant excess of the recombinant virus must be administered to the patient because not every viral particle administered will infect the target cell. This is due at least in part to the effects of diffusion, clearance and/or neutralization by the organism, and that not every interaction between the viral particle and a target cell results in infection and productive expression. However, the systemic administration of excess recombinant virus poses potential safety concerns to the individual undergoing treatment. Consequently, methods which can be employed to lower the total dose of the recombinant viral vector while maintaining a therapeutically effective dose are desired. The present invention provides a method of inducing apoptosis in p53 positive tumor cells by the administration of a calpain inhibitor alone or in combination with rAd-p53 or in combination with rAd-p53 and in tumors with mutated or null p53 status. The present invention also provides a decreased CTL response to the administration of recombinant adenoviral vectors by the concomitant administration of calpain inhibitors. The combined effect being increased p53 expression.

#### SUMMARY OF THE INVENTION

The present invention provides a method to enhance p53-mediated apoptosis in a cell by the administration of p53 in combination with a calpain inhibitor. The present invention further provides a method of inducing cell death in p53 positive tumor cells by the administration of a therapeutically effective dose of a calpain inhibitor. The present invention further provides a method of increasing the infectivity of a cell to a viral vector by treatment of the cell with a calpain inhibitor. The present invention further provides a method of enhancing transcription of a therapeutic transgene from the CMV promoter. The present invention further provides a method of suppressing the *in vivo* CTL response to viral vectors by the use of calpain inhibitors. The present invention further provides pharmaceutical formulations of p53 and a calpain inhibitor in a pharmaceutically acceptable carrier. The present invention further provides a method of ablating neoplastic cells in a mammalian organism *in vivo* by the co-administration of a calpain inhibitor and p53. The present invention further provides a method of ablating neoplastic cells in a population of normal cells contaminated by said neoplastic cells *ex vivo* by the administration of a recombinant adenovirus in combination with a calpain inhibitor.

5

**BRIEF DESCRIPTION OF THE FIGURES**

10

Figure 1 is a graphical representation percentage of cells undergoing apoptosis (as determined by annexin V-FITC positive staining) in response to increasing concentrations of CI-1 in the SK-Hep1(●) RKO(Δ), HLF (■), DLD-1(□) and the HEP3B(♦) cell lines. The vertical axis represents the change in the percentage annexin V-FITC positive staining cells as determined by flow cytometry. The horizontal axis represents the  $\mu\text{M}$  concentration of CI-1.

15

Figure 2 are the results of flow cytometry experiments comparing the amount of BrdU labelling of cells to detect a G0/G1 arrest in response to calpain inhibitor 1 treatment in cell lines which differ in endogenous p53 status. Two colorectal (RKO and DLD1) and two hepatocellular carcinoma cell lines (SK-Hep1 and HLF) which differ in endogenous p53 status showing BrdU labelling in response to DMF alone versus 5  $\mu\text{M}$  CI-1 for 17 hours.

20

Figure 3 is a histogram representing the percentage of cells undergoing apoptosis (vertical axis) measured at 17 hours post treatment in response to the administration of various concentrations of rAd-p53 and/or CI-1. Histogram D1= untreated DLD1 cells, histogram D2 = DLD1 cells in response to 10  $\mu\text{M}$  CI-1;

25

histogram D3 = DLD1 cells in response to  $1 \times 10^9$  rAd-p53; histogram D4 DLD1 cells in response to 5  $\mu\text{M}$  CI-1 plus  $1 \times 10^9$  rAd-p53; histogram D5 = DLD1 cells in response to 10  $\mu\text{M}$  CI-1 plus  $1 \times 10^9$  rAd-p53; histogram R1= untreated RKO cells, histogram R2 = RKO cells in response to 20  $\mu\text{M}$  CI-1; histogram R3 = RKO cells in response to  $1 \times 10^9$  rAd-p53; histogram R4 = RKO cells in response to 10  $\mu\text{M}$  CI-1 plus  $1 \times 10^9$  rAd-p53; histogram R5 = RKO cells in response to 20  $\mu\text{M}$  CI-1 plus  $1 \times 10^9$  rAd-p53. cells; histogram H1= untreated HLF cells, histogram H2 = HLF cells in response to 10  $\mu\text{M}$  CI-1; histogram H3 = HLF cells in response to  $1 \times 10^9$  rAd-p53; histogram H4 = HLF cells in response to 5  $\mu\text{M}$  CI-1 plus  $1 \times 10^9$  rAd-p53; histogram H5 = HLF cells in response to 10  $\mu\text{M}$  CI-1 plus  $1 \times 10^9$  rAd-p53;

30

histogram S1= untreated SK-Hep1 cells, histogram S2 = SK-Hep1 cells in response to 5  $\mu\text{M}$  CI-1; histogram S3 = SK-Hep1 cells in response to  $2 \times 10^9$  rAd-p53; histogram S4 = SK-Hep1 cells in response to 5  $\mu\text{M}$  CI-1 plus  $2 \times 10^9$  rAd-p53.

35

Figure 4 is a graphical representation of the percent annexin V positive HLF cells (apoptotic cells) as a function of increasing dosage of rAd-p53 alone (■), and rAd-p53 in combination with 10  $\mu\text{M}$  CI-1 (●). The horizontal axis represents the

40

45

50

5

concentration in units of [number of particles of rAd-p53/milliliter of solution]. The  
10 vertical axis represents the percent of annexin V positive (apoptotic) cells as  
determined by flow cytometry.

Figure 5 contains the results of Western blots measuring the levels of p53  
5 and p21 in rAd-p53 infected cells in the presence of varying concentrations of CI-1.  
Above each lane is a "+" or "-" which indicates if the cells were pulsed with  $1 \times 10^9$   
15 rAd-p53 for one hour (+) or not (-). The row of numbers below indicates the  $\mu\text{M}$   
concentration of CI-1 to which the cells were exposed at 17 hours post-infection.  
The upper row of chemiluminescent signals provides the levels of p53 while the  
10 lower row of chemiluminescent signals provides the levels of p21. As indicated by  
the data presented, in response to  $1 \times 10^9$  particle/ml rAd-p53 at 17 hours post-  
infection, HLF cells showed the increases in p53 and p21 protein levels. When  
20  $5 \mu\text{M}$  CI-1 was added with rAd-p53, the levels of p53 increased two fold, as  
quantitated on NIH imaging. When  $10 \mu\text{M}$  CI-1 was added, the levels of p53 and  
25 p21 increased approximately three fold. Similar results were seen with the cell  
lines SK-Hep1 and DLD1. The cell line RKO showed a two fold increase in p53  
and p21 levels in response to  $5 \mu\text{M}$  CI-1, while a higher increase in p53 levels at  
 $10 \mu\text{M}$  CI-1 was seen, about a five fold increase over rAd-p53 alone.

Figure 6 are microscopic photographs (5 days post treatment) of 10 micron  
30 X-gal stained cross sections from livers of C57 BL/6 mice sacrificed 3 days post  
infection with a recombinant adenoviral vector expressing the  $\beta$ -galactosidase  
marker gene (BGCG) in combination with  $120 \text{ mg/kg}$  of CI-1 (Panel A) and  
35 BGCG alone (Panel B). CI-1 was intraperitoneally administered on days 1, 2, and  
3. BGCG (rAd-b-gal) was administered by tail vein injection on day 2.

Figure 7 A and B are histogram graphical representations respectively of the  
40 number of viral copies of DNA and transgene RNA per  $6.8 \times 10^5$  HLF cells (as  
determined by PCR and RT-PCR respectively) in response to treatment in the  
presence and absence of CI-1. The vertical axis represents the number of copies of  
p53 DNA detected by PCR (figure 7A) and p53 mRNA (figure 7B) per  $6.8 \times 10^5$   
45 HLF cells. Column A represents treatment with  $1 \times 10^7$  ACN53 alone. Column B  
represents treatment with  $1 \times 10^7$  ACN53 in the presence of  $10 \mu\text{M}$  CI-1. Column C  
represents treatment with  $3 \times 10^7$  ACN53. Column D represents treatment with  $10$   
 $\mu\text{M}$  CI-1 for a period of six hours followed by treatment with  $3 \times 10^7$  ACN53.  
Column E represents treatment with  $1 \times 10^8$  ACN53. Column F represents  $1 \times 10^8$   
50 ACN53 in combination with  $10 \mu\text{M}$  CI-1. Indeed, these experiments indicate that

5

pretreatment of the cells with CI-1 leading to increased apoptosis may be  
10 independent of p53 stabilization by the inhibitor and acting through an independent  
mechanism of action.

Figure 8 is a graphical representation of the data obtained by the  
5 administration of calpain inhibitor 2 in combination with a recombinant adenovirus  
encoding p53 to the SK-Hep-1 hepatocellular carcinoma cell line. The cells were  
15 treated with the combinations indicated below each histogram and measured for  
apoptosis by annexin V staining at 17 hours post treatment. The percentage of cells  
positive for annexin V staining is indicated on the vertical axis. As can be seen  
10 from the data presented in combination with the data presented earlier, the induction  
20 of apoptosis is selective to inhibitors of microcalpains.

Figure 9 is a graphical representation of the data obtained by the  
administration of calpain inhibitor 1 in combination with a recombinant adenovirus  
encoding p53 to primary ocular fibroblast cells. The cells were treated as follows:  
25 A = untreated control cells; B = treatment with 10 µM CI-1 alone; C=  $1 \times 10^9$   
particles of ACN53 alone; D= 10 µM CI-1 in combination with  $1 \times 10^9$  particles of  
ACN53; E = 20 µM CI-1 in combination with  $1 \times 10^9$  particles of ACN53  
30 indicated below each histogram and measured for apoptosis by annexin V staining  
at 26 hours post treatment. The percentage of cells positive for annexin V staining  
20 is indicated on the vertical axis. As can be seen from the data presented, calpain  
inhibitor 1 in combination of ACN53 failed to induce apoptosis in primary ocular  
fibroblasts.

Figure 10 presents the results of a gel shift assay demonstrating the  
activation of NF- $\kappa$ B and AP-1 in the HLF hepatocellular carcinoma cell line  
35 measured at 24 hours post treatment as more fully described in Example 8. The  
lanes on the gel are labelled as follows: Lane 1 = DMF solvent alone control; Lane 2  
40 = 10 µM CI-1; Lane 3 = a null control vector based on ACN53 without the p53  
transgene (ZZCB); Lane 4 = ZZCB + 10 µM CI-1; Lane 5 = ACN53 alone and  
Lane 6 = ACN53+ 10 µM CI-1. Panel A illustrates the induction of NF- $\kappa$ b upon  
30 administration of calpain inhibitor 1. Panel B illustrates the induction of AP-1 upon  
45 administration of calpain inhibitor 1.

Figure 11 is a graphical results of the cytotoxicity assay of CTL against  
ACN53 transduced EL-4 targets in C57/B16 mice injected with 60 mg/Kg ( $\Delta$ ) or  
50 120 mg/Kg ( $\blacklozenge$ ) calpain inhibitor 1 in combination with ACN53 as more fully  
described in Example 7 herein. Percent lysis is plotted on the vertical axis and time

5

10

on the horizontal axis. The ACN53 alone is represented by the circles (●) and the naive control level is represented by the squares (■). As can be seen from the data presented, the CTL response to ACN53 was substantially reduced in the presence of calpain inhibitor 1.

15

- 5 Figures 12 A,B and C present the results of an in vivo mouse model following administration of recombinant adenovirus encoding p53 alone or in combination with calpain inhibitors. Tumor growth/regression was evaluated at Day 4, Day 8 and Day 11 post-treatment (Figures 12 A,B and C respectively).

20

10 **DETAILED DESCRIPTION OF THE INVENTION**

25

A: Administration of Calpain Inhibitor in Combination with p53 Enhances

Apoptosis

25

- The present invention provides a method to enhance apoptosis in a cell by the administration of p53 in combination with a calpain inhibitor.

30

The term "apoptosis" means a form of programmed cell death that is characterized by specific morphologic and biochemical properties.

Morphologically, apoptosis is characterized by a series of structural changes in dying cells: blebbing of the plasma membrane, condensation of the cytoplasm and nucleus, and cellular fragmentation into membrane apoptotic bodies.

35

Biochemically, apoptosis is characterized by the degradation of chromatin, initially into large fragments of 50-300 kilobases and subsequently into smaller fragments that are monomers and multimers of 200. The execution of apoptosis minimizes the leakage of cellular constituents from dying cells. This distinguishes apoptosis from necrosis, which usually results from trauma that causes injured cells to swell and lyse, releasing the cytoplasmic material that stimulates an inflammatory response.

40

The term "p53" refers to the product of the p53 tumor suppressor gene. The p53 protein is well known in the art. Nucleotide sequences encoding p53 may be isolated from libraries or synthesized using known techniques. As used herein, the term "p53" refers to the wild-type p53 protein as well as mutations or truncations thereof, which display essentially the same function as the wild-type protein. It will be readily apparent to those of skill in the art that modifications and/or deletions to the above referenced genes so as to encode functional subfragments of the wild type protein may be readily adapted for use in the practice of the present invention. For example, the reference to the p53 gene includes not only the wild

45

50

5

type protein but also modified p53 proteins. Examples of such modified p53  
proteins include modifications to p53 to increase nuclear retention, deletions such as  
the Δ13-19 amino acids to eliminate the calpain consensus cleavage site,  
modifications to the oligomerization domains (as described in Bracco, *et al.* PCT  
5 published application WO97/0492 or United States Patent No. 5,573,925). The  
term p53 includes p53 molecules derived from human as well as other mammalian  
10 sources such as porcine p53, equine p53, bovine p53, canine p53, etc. It will be  
readily apparent to those of skill in the art that p53 may be secreted into the media or  
localized to particular intracellular locations by inclusion of a targeting moiety such  
15 as a signal peptide or nuclear localization signal(NLS). Also included in the  
definition of p53 are fusion proteins of the therapeutic transgene with the herpes  
simplex virus type 1 (HSV-1) structural protein, VP22. See, e.g. Elliott, G. &  
O'Hare, P. Cell. 88:223-233:1997; Marshall, A. & Castellino, A. Research News  
Briefs. Nature Biotechnology. 15:205:1997; O'Hare, *et al.* PCT publication  
20 WO97/05265 published February 13, 1997. A similar targeting moiety derived  
from the HIV Tat protein is also described in Vives, *et al.* (1997) J. Biol. Chem.  
25 272:16010-16017.

The term "administration of p53" refers to p53 gene therapy as well as p53  
30 protein therapy. The term "p53 gene therapy" refers to the introduction to a cell of a  
nucleotide sequence encoding p53 operably linked to expression control sequences  
20 so as to effect expression (transcription and translation) of the p53 gene in the  
cell. The term "operably linked" refers to a linkage of polynucleotide elements in a  
35 functional relationship. A nucleic acid sequence is "operably linked" when it is  
placed into a functional relationship with another nucleic acid sequence. For  
25 instance, a promoter or enhancer is operably linked to a coding sequence if it affects  
the transcription of the coding sequence. Operably linked means that the nucleotide  
sequences being linked are typically contiguous. However, as enhancers generally  
40 function when separated from the promoter by several kilobases and intronic  
sequences may be of variable lengths, some polynucleotide elements may be  
30 operably linked but not directly flanked and may even function in trans from a  
different allele or chromosome.

45 p53 gene therapy includes both *in vivo* and *ex vivo* gene therapy. *Ex vivo*  
gene therapy refers to the administration of an expression vector comprising a  
50 nucleotide sequence encoding p53 to a population cells obtained from a living  
organism with the expectation of those cells being reimplanted into the organism.

5

Ex vivo gene therapy is described in Anderson, *et al.* United States Patent No. 5,399,346 issued March 21, 1995. Examples of ex vivo gene therapy include the purging of tumor cells from stem cell products. In vivo gene therapy refers to the administration of an expression vector comprising a nucleotide sequence encoding p53 to a living organism. Examples of in vivo gene therapy administration include intratumoral, regional (intraperitoneal) or subcutaneous (IM or IV) administration.

The term "expression vector" refers to viral and non-viral vectors comprising a p53 expression cassette. The term "expression cassette" is used herein to define a nucleotide sequence containing regulatory elements and a transgene coding sequence so as to result in the transcription and translation of a transgene in a transduced cell. The term "regulatory element" refers to promoters, enhancers, transcription terminators, polyadenylation sites, and the like. The expression cassette may also contain other sequences aiding expression and/or secretion of the therapeutic gene. The regulatory elements may be arranged so as to allow, enhance or facilitate expression of the transgene only in a particular cell type. For example, the expression cassette may be designed so that the transgene is under control of an inducible promoter, tissue specific or tumor specific promoter, or temporal promoter. The term "inducible promoter" refers to promoters which facilitate transcription of the therapeutic transgene preferable (or solely) under certain conditions and/or in response to external chemical or other stimuli. Examples of inducible promoters are known in the scientific literature (See, e.g. Yoshida and Hamada (1997) Biochem. Biophys. Res. Comm. 230:426-430; Iida, *et al.* (1996) J. Virol. 70(9):6054-6059; Hwang, *et al.* (1997) J. Virol. 71(9):7128-7131; Lee, *et al.* (1997) Mol. Cell. Biol. 17(9):5097-5105; and Dreher, *et al.* (1997) J. Biol. Chem. 272(46):29364-29371. Examples of radiation inducible promoters include the EGR-1 promoter. Boothman, *et al.* (1994) volume 138 supplement pages S68-S71. Tissue specific and tumor specific promoters are well known in the art and include promoters active preferentially in smooth muscle (alpha-actin promoter), pancreas specific (Palmiter, *et al.* (1987) Cell 50:435), liver specific Rovet, *et al.* (1992) J. Biol. Chem. 267:20765; Lemaigne, *et al.* (1993) J. Biol. Chem. 268:19896; Nitsch, *et al.* (1993) Mol. Cell. Biol. 13:4494), stomach specific (Kovarik, *et al.* (1993) J. Biol. Chem. 268:9917, pituitary specific (Rhodes, *et al.* (1993) Genes Dev. 7:913, prostate specific (United States Patent 5,698,443, Henderson, *et al.* issued December 16, 1997 entitled "Tissue specific viral vectors"), etc. The term "temporal promoters" refers to promoters which drive

50

55

5

transcription or the therapeutic transgene at a point later in the viral cycle relative to  
the promoter controlling expression of the response element and are used in  
conjunction with viral vector systems. Examples of such temporally regulated  
promoters include the adenovirus major late promoter (MLP), other late promoters.

10 5 In the preferred practice of the invention as exemplified herein, the E3 promoter  
which is strictly dependent on E1A and viral replication. For herpes simplex  
viruses, examples of temporal promoter include the latent activated promoters.

15 10 The term "non-viral vector" refers to an autonomously replicating,  
extrachromosomal circular DNA molecule, distinct from the normal genome and  
nonessential for cell survival under nonselective conditions capable of effecting the  
expression of a DNA sequence in the target cell. Examples of such non-viral  
vectors include plasmids. Plasmids autonomously replicate in bacteria to facilitate  
bacterial production, but it is not necessary that such plasmids replicate in the target  
cell in order to achieve the therapeutic effect. Additional genes, such as those  
25 15 encoding drug resistance, can be included to allow selection or screening for the  
presence of the recombinant vector. Such additional genes can include, for  
example, genes encoding neomycin resistance, multi-drug resistance, thymidine  
kinase,  $\beta$ -galactosidase, dihydrofolate reductase (DHFR), and chloramphenicol  
30 30 acetyl transferase.

35 20 The non-viral vector is provided in a non viral delivery system. Examples  
of non-viral delivery systems used to introduce an exogenous nucleotide sequence  
to a target cell include expression plasmids capable of directing the expression of the  
therapeutic gene of interest in the target cell. The expression plasmid containing the  
therapeutic gene may be encapsulated in liposomes. The term "liposomes" includes  
25 40 emulsions, foams, micelles, insoluble monolayers, liquid crystals, phospholipid  
dispersions, lamellar layers and the like. The delivery of nucleotide sequences to  
target cells using liposome carriers is well known in the art. A variety of methods  
are available for preparing liposomes, as described in, e.g., Szoka *et al.* Ann. Rev.  
Biophys. Bioeng. 9:467 (1980), Szoka, *et al.* United States Patent No 4,394,448  
45 30 issued July 19, 1983, as well as U.S. Patent Nos. 4,235,871, 4,501,728,  
4,837,028, and 5,019,369, incorporated herein by reference. Liposomes useful in  
the practice of the present invention may be formed from one or more standard  
vesicle-forming lipids, which generally include neutral and negatively charged  
phospholipids and a sterol, such as cholesterol. Examples of such vesicle forming  
50 35 lipids include DC-chol, DOGS, DOTMA, DOPE, DOSPA, DMRIE, DOPC,

5

DOTAP, DORIE, DMRIE-HP, n-spermidine cholesterol carbamate and other cationic lipids as disclosed in United States Patent No. 5,650,096. The selection of lipids is generally guided by consideration of, e.g., liposome size, acid lability and stability of the liposomes in the blood stream. Additional components may be added to the liposome formulation to increase serum half-life such as polyethylene glycol coating (so called "PEG-ylation") as described in United States Patent Nos. 5,013,556 issued May 7, 1991 and 5,213,804 issued May 25, 1993. In order to insure efficient delivery of the therapeutic gene to a particular tissue or organ, it may be advantageous to incorporate elements into the non-viral delivery system which facilitate cellular targeting. For example, a lipid encapsulated expression plasmid may incorporate modified surface cell receptor ligands to facilitate targeting. Although a simple liposome formulation may be administered, the liposomes either filled or decorated with a desired composition of the invention of the invention can be delivered systemically, or can be directed to a tissue of interest, where the liposomes then deliver the selected therapeutic/immunogenic peptide compositions. Examples of such ligands include antibodies, monoclonal antibodies, humanized antibodies, single chain antibodies, chimeric antibodies or functional fragments (F<sub>v</sub>, Fab, Fab') thereof. Alternatively, the DNA constructs of the invention can be linked through a polylysine moiety to a targeting moiety as described in Wu, *et al.* United States Patent No. 5,166,320 issued November 24, 1992 and Wu, *et al.*, United States Patent No. 5,635,383 issued June 3, 1997, the entire teachings of which are herein incorporated by reference.

The term viral vector refers to a virus comprising a p53 expression cassette. The term "virus" refers to any of the obligate intracellular parasites having no protein-synthesizing or energy-generating mechanism. The viral genome may be RNA or DNA contained within a coated structure of protein of a lipid membrane. The terms virus(es) and viral vector(s) are used interchangeably herein. The viruses useful in the practice of the present invention include recombinantly modified enveloped or non-enveloped DNA and RNA viruses, preferably selected from baculoviridae, parvoviridae, picornaviridae, herpesviridae, poxviridae, adenoviridae, or picornaviridae. The viruses may be naturally occurring viruses or their viral genomes may be modified by recombinant DNA techniques to include expression of exogenous transgenes and may be engineered to be replication deficient, conditionally replicating or replication competent. Chimeric viral vectors which exploit advantageous elements of each of the parent vector properties (See

-- 12 --

5

10

e.g., Feng, et al.(1997) Nature Biotechnology 15:866-870) may also be useful in the practice of the present invention. Minimal vector systems in which the viral backbone contains only the sequences need for packaging of the viral vector and may optionally include a transgene expression cassette may also be produced

15

5 according to the practice of the present invention. Although it is generally favored to employ a virus from the species to be treated, in some instances it may be advantageous to use vectors derived from different species which possess favorable pathogenic features. For example, equine herpes virus vectors for human gene therapy are described in WO98/27216 published August 5, 1998. The vectors are 10 described as useful for the treatment of humans as the equine virus is not pathogenic to humans. Similarly, ovine adenoviral vectors may be used in human gene therapy as they are claimed to avoid the antibodies against the human adenoviral vectors. Such vectors are described in WO 97/06826 published April 10, 1997.

20

25

In the preferred practice of the invention, the viral vector is an adenovirus.

25

15 The term "adenovirus" is synonymous with the term "adenoviral vector" and refers to viruses of the genus adenoviridae. The term adenoviridae refers collectively to animal adenoviruses of the genus mastadenovirus including but no limited to human, bovine, ovine, equine, canine, porcine, murine and simian adenovirus 30 subgenera. In particular, human adenoviruses includes the A-F subgenera as well 20 as the individual serotypes thereof the individual serotypes and A-F subgenera including but not limited to human adenovirus types 1, 2, 3, 4, 4a, 5, 6, 7, 8, 9, 10, 11 (Ad11A and Ad 11P), 12, 13, 14, 15, 16, 17, 18, 19, 19a, 20, 21, 22, 23, 24, 35 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 34a, 35, 35p, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, and 91. The term bovine adenoviruses includes but is not 25 limited to bovine adenovirus types 1,2,3,4,7, and 10. The term canine adenoviruses includes but is not limited to canine types 1 (strains CLL, Glaxo, RI261, Utrecht, Toronto 26-61) and 2. The term equine adenoviruses includes but is 40 not limited to equine types 1 and 2. The term porcine adenoviruses includes but is not limited to porcine types 3 and 4. The term viral vector includes replication 30 deficient, replication competent and conditionally replicating viral vectors.

35

45

The term "replication deficient" refers to vectors which are incapable of replication in a wild type mammalian cell. In order to produce such vectors in quantity, the producer cell line must be cotransfected with a helper virus or modified to complement the missing functions. E.g. 293 cells have been engineered to 50 complement adenoviral E1 deletions allowing propagation of the E1 deleted

5

replication deficient adenoviral vectors in 293 cells. See Graham, *et al.* (1977) J. Gen. Virol. 38:59.

10

The term "replication competent viral vectors" refers to a viral vector which is capable of infection, DNA replication, assembly and packaging within an infected cell. The term "conditionally replicating viral vectors" is used herein to refer to replication competent vectors which are designed to achieve selective expression in particular cell types while avoiding untoward broad spectrum infection. Examples of conditionally replicating vectors are described in Bischoff, *et al.* (1996) Science 274:373-376; Pennisi, E. (1996) Science 274:342-343; Russell, S.J. (1994) Eur. J. of Cancer 30A(8):1165-1171.

20

Cell type specificity or cell type targeting may also be achieved in viral vectors derived from viruses having characteristically broad infectivities by the modification of the viral envelope proteins. For example, cell targeting has been achieved with adenovirus vectors by selective modification of the viral genome

25

knob and fiber coding sequences to achieve expression of modified knob and fiber domains having specific interaction with unique cell surface receptors. Examples of such modifications are described in Wickham, *et al.* (1997) J. Virol. 71(11):8221-8229 (incorporation of RGD peptides into adenoviral fiber proteins); Arnberg, *et al.* (1997) Virology 227:239-244 (modification of adenoviral fiber genes to achieve tropism to the eye and genital tract); Harris and Lemoine (1996) TIG 12(10):400-405; Stevenson, *et al.* (1997) J. Virol. 71(6):4782-4790; Michael, *et al.* (1995) gene therapy 2:660-668 (incorporation of gastrin releasing peptide fragment into adenovirus fiber protein); and Ohno, *et al.* (1997) Nature Biotechnology 15:763-767 (incorporation of Protein A-IgG binding domain into Sindbis virus). Other

30

methods of cell specific targeting have been achieved by the conjugation of antibodies or antibody fragments to the envelope proteins (see, e.g. Michael, *et al.* (1993) J. Biol. Chem 268:6866-6869, Watkins, *et al.* (1997) gene therapy 4:1004-1012; Douglas, *et al.* (1996) Nature Biotechnology 14: 1574-1578. Alternatively, particular moieties may be conjugated to the viral surface to achieve targeting (See, e.g. Nilson, *et al.* (1996) gene therapy 3:280-286 (conjugation of EGF to retroviral proteins). These targeting modifications may be introduced into the viral vectors of the present invention in addition to or in combination with other modifications to the viral genome. Targeting modifications may be used with replication deficient, replication competent or conditionally replicating viruses.

40

45

50

5

In the preferred practice of the invention as exemplified herein, the preferred vector is derived from the genus adenoviridae. More preferred are vectors derived from human adenovirus types 2 and 5. These vectors may incorporate particular modifications to enhance their therapeutic potential. For example they may include 10 deletions of E1a and E1b genes. Certain other regions may be enhanced or deleted to provide specific features. For example upregulation of the E3 region is described 15 to reduce the immunogenicity associated with human adenoviral vectors administered to human subjects. The E4 region has been implicated as important to expression of transgenes from the CMV promoter, however the E4orf 6 protein has 20 been described as leading to the degradation of p53 in target cells in the presence of E1b large protein. Steegenga, *et al.* (1998) Oncogene 16:345-347. Consequently, the elimination of such sequences from p53 gene therapy using adenoviral vectors. In the most preferred practice of the invention as exemplified herein, p53 is 25 administered in a viral vector delivery system in the ACN53 vector (described in Wills, *et al.* (1994) Human Gene Therapy 5:1079-1088).

The term "p53 protein therapy" refers to the administration of p53 protein sequence to a cell in such pharmaceutical formulations to effect the intracellular delivery of an active form of the protein to the cell and to exert its cell regulatory effects therein. The term "protein delivery system" refers to p53 protein formulation 30 for the intracellular delivery of the p53 protein to the target cell. Protein delivery systems comprise the therapeutic protein admixed with conventional carriers and excipients which stabilize and/or facilitate the uptake of the protein in the target cell.

The "calpain inhibitor" (abbreviated "CI") refers to a compound which 35 inhibits the proteolytic action of calpain-I, e.g.  $\mu$ -calpains. The term calpain 25 inhibitors as used herein includes those compounds having calpain I inhibitory activity in addition to or independent of their other biological activities. A wide 40 variety of compounds have been demonstrated to have activity in inhibiting the proteolytic action of calpains. Examples of calpain inhibitors are useful in the practice of the present invention include N-acetyl-leu-leu-norleucinal also known as 30 "calpain inhibitor 1." Additional calpain inhibitors are described in the following 45 United States Patents, herein incorporated by reference, United States Patent No. 5,716,980 entitled Alcohol or aldehyde derivatives and their use; United States Patent No. 5,714,471 entitled Peptide and peptide analog protease inhibitors; United States Patent No. 5,693,617 entitled Inhibitors of the 26s proteolytic 50 complex and the 20s proteasome contained therein; United States Patent No.

5

- 5,691,368 entitled Substituted oxazolidine calpain and/or cathepsin B inhibitors; United States Patent No. 5,679,680 entitled  $\alpha$ -substituted hydrazides having calpain inhibitory activity; United States Patent No. 5,663,294 entitled Calpain-inhibiting peptide analogs of the kininogen heavy chain; United States Patent No. 5,661,150 entitled Drug for neuroprotection; United States Patent No. 5,658,906 entitled Cysteine protease and serine protease inhibitors; United States Patent No. 5,654,146 entitled Human ice homolog; United States Patent No. 5,639,783 entitled Ketone derivatives; United States Patent No. 5,635,178 entitled Inhibition of complement mediated inflammatory response using monoclonal antibodies specific for a component forming the C56-9 complex which inhibit the platelet or endothelial cell activating function of the C56-9 complex; United States Patent No. 5,629,165 Neural calcium-activated neutral proteinase inhibitors; United States Patent No. 5,622,981 entitled Use of metabotropic receptor agonists in progressive neurodegenerative diseases; United States Patent No. 5,622,967 entitled Quinolone carboxamide Calpain inhibitors; United States Patent No. 5,621,101 entitled Protein kinase inhibitors for treatment of neurological disorders; United States Patent No. 5,554,767 entitled Alpha-mercaptopropionic acid derivatives having calpain inhibitory activity; United States Patent No. 5,550,108 entitled Inhibition of complement mediated inflammatory response; United States Patent No. 5,541,290 entitled Optically pure calpain inhibitor compounds; United States Patent No. 5,506,243 entitled Sulfonamide derivatives; United States Patent No. 5,498,728 entitled Derivatives of L-tryptophanal and their use as medicinals; United States Patent No. 5,498,616 entitled Cysteine protease and serine protease inhibitors; United States Patent No. 5,461,146 entitled Selected protein kinase inhibitors for the treatment of neurological disorders; United States Patent No. 5,444,042 entitled Method of treatment of neurodegeneration with calpain inhibitors; United States Patent No. 5,424,325 entitled Aminoketone derivatives; United States Patent No. 5,422,359 entitled  $\alpha$ -aminoketone derivatives; United States Patent No. 5,416,117 entitled Cyclopropenone derivatives; United States Patent No. 5,395,958 entitled Cyclopropene derivatives; United States Patent No. 5,340,922 entitled Neural calcium-activated neutral proteinase inhibitors; United States Patent No. 5,336,783 entitled Calpain inhibitor cystamidin A and its production; United States Patent No. 5,328,909 entitled Cyclopropenone derivatives; and United States Patent No. 5,135,916 entitled Inhibition of complement mediated inflammatory response.

55

5

The apoptotic effect of the co-administration of p53 and a calpain inhibitor (CI-1) was investigated in the tumor cell lines described in Table 1 below.

10

15

20

25

Table 1. Cell Lines and p53 Status		
Cell line	Source	p53 status
SK-Hep1	hepatocellular carcinoma	wildtype
HLF	hepatocellular carcinoma	mutated
RKO	colorectal	wildtype
DLD	colorectal	mutated
Hep3B	hepatocellular carcinoma	null
U87	glioblastoma	wildtype
A549	lung	wildtype
NCI-H596	lung	mutated
HeLa	cervical carcinoma	wildtype

30

35

40

P53 was administered to the cells by the use of the replication defective adenoviral vector ACN53 described in Wills, *et al.*, supra. The effect of varying concentrations of rAd-p53 (from  $1 \times 10^9$  to  $2 \times 10^9$  rAd-p53 particles/ml of solution) was investigated in combination with CI-1 in a range of 5-20  $\mu$ M. The effects of individual and combination treatment was determined in the DLD1, RKO, HLF and SK-Hep1 cells was investigated in substantial accordance with the teaching of Examples 2 and 3 herein. The percentage of apoptotic cells was determined at 17 hours post treatment (with the exception of U87 cells (24 hours) and HeLa cells (68 hours)) with annexin V positive staining. The results are presented in graphical format in Figure 3 of the attached drawings. In brief, the results were as follows:

45

50

5

10

15

20

25

30

35

40

50

Table 2. Percentage of Cells Undergoing Apoptosis in Response to Treatment with Calpain Inhibitor Alone or In Combination with rAd-p53

Cell Line	Control (ZZCB)	10µM CI-1	1x10 <sup>9</sup> ACN53	1x10 <sup>9</sup> ACN53 +5µM CI-1	1x10 <sup>9</sup> ACN53 +10µM CI-1
DLD	8 %	15 %	11 %	39%	57%
HeLa	4%	8.3%	25% [2x10 <sup>9</sup> ]	---	45%
RKO	10%	13% [20µM]	11%	41%	67%
HLF	7%	7%	12%	20%	48%
SK-Hep1	9%	11% [5µM]	16% [2x10 <sup>9</sup> ]	70%	---
U87	23% (24 hrs)	41%	30%	----	83%

In each of the above experiments, an empty cassette control virus (ZZCB) was used to assess the transgene specific effect of the rAd-p53 vector. In each instance, there was no significant increase in apoptosis beyond that seen with CI-1 alone demonstrating a specific transgene effect, and not a non specific viral effect. This data demonstrates that CI-1 in combination with rAd-p53 results in a significant enhancement to the apoptotic effects of p53 beyond that seen with either CI-1 or rAd-p53 alone. Notably, the effects were seen in p53 mutated, p53 null and p53 wildtype cells. The data presented demonstrates a multiplicative rather than additive effect of the combined treatment.

Calpains have been shown to play a role in p53 stability. (Gonen *et al.*, 1997; Kubbutat and Vousden, 1997). In targeting p53 for degradation, µ-calpains, and to a much lesser extent mili-calpains, reportedly recognize the tertiary structure of the protein and preferentially cleave wildtype p53 at a single cleavage site located at the N-terminal region overlapping the mdm-2 binding site (Kubbutat and Vousden, 1997). Deletion of the calpain consensus cleavage site in p53 has been shown to inhibit the ability of mdm-2 to bind to p53 resulting in an increase in p53

55

5

half-life. Deletion of the calpain consensus cleavage site does not eliminate the transactivational and apoptotic functions of p53. (Kubbutat *et al.*, 1997).

10

Inhibition of proteasomes by calpain inhibitors has been shown to lead to increased levels of p53, and apoptosis in the MOLT-4 cell line (Shinohara *et al.*, 1996).

15

5 To determine if increases in exogenous p53 levels occurred in response to CI-1, the p53 null cell line Hep3B was infected with  $1 \times 10^9$  particle/ml and assayed for p53 protein levels by western blots 17 hours post-infection. The results are shown in figure 5. No p53 protein was detected in untreated Hep3B. p53 protein was detected in cells infected with rAd-p53 alone, and increased greater than 10 fold when infected with rAd-p53 in the presence of 10 $\mu$ M calpain inhibitor 1. The results presented in figure 5 demonstrate a 2-5X increase in p53 levels in response to calpain inhibitor 1 in cell lines with endogenous wildtype and mutated p53 status. The enhancement of p53 stability by CI-1 may not, therefore, be the sole mechanism by which enhanced cell death has been achieved. This result also suggests that CI-1 stabilizes exogenous as well as endogenous p53, and was confirmed using a p53 null cell line, Hep3B. Thus, a new mechanism of action is involved other than p53 stability in the increased induction of apoptosis by the combination of CI-1 and p53.

20

To quantitate the increased efficacy of rAd-p53 induced cell killing in tumor cell lines in response to CI-1 treatment, HLF cells were infected with increasing concentrations of rAd-p53 with or without 10 $\mu$ M CI-1, and assayed for percentage apoptotic cells by annexin V-FITC staining 42 hours post-treatment in substantial accordance with the teaching of Example 3 herein. A dosage response curve was plotted and is shown in Figure 4. Untreated cells and cells treated with 10 $\mu$ M CI-1 alone showed low background annexin V staining (2-3% respectively). No increase in annexin V-FITC positive cells was detected at  $1 \times 10^5$  particles/ml rAd-p53 with or without 10 $\mu$ M CI-1. At  $1 \times 10^6$  particles/ml rAd-p53, the percentage apoptotic cells without CI-1 was 14%, while 40% of annexin V positive cells was detected when cells were treated with 10 $\mu$ M CI-1. At a concentration of  $1 \times 10^7$  ACN53 particles/ml, 17% annexin V positive without and 63% with 10 $\mu$ M CI-1 was detected. At  $1 \times 10^8$  particles/ml, 52% were annexin V positive without and 70% positive with inhibitor treatment. At a dose of  $1 \times 10^9$  particles of rAd-p53, however, the percentage annexin V positive was about the same for both 77% without and 74% with 10 $\mu$ M CI-1. A  $1 \times 10^9$  particle/ml concentration of rAd-p53 was sufficient to induce approximately 50% cell death, while only a  $1 \times 10^7$

35

40

45

50

55

5

10

particle/ml concentration rAd-p53 was needed to induce approximately the same percentage of cell death when 10 $\mu$ M CI-1 was added. These results demonstrate an approximately two log decrease in the particles/ml of rAd-p53 needed to induce approximately 50% cell death in response to treatment with 10 $\mu$ M CI-1 at 42 hours.

5

15

**B: Micro-calpain Inhibitors Induce Apoptosis In p53 Positive Tumors:**

20

The present invention provides a method to enhance apoptosis in a cell by the administration of p53 in combination with a calpain inhibitor.

10

The term "p53 positive" refers to the genotype of a cell which possesses at least one copy of a gene encoding a functional p53 molecule. p53 positive is distinguished from p53 negative which refers to the genotype of a cell which does not possess at least one copy of a gene encoding a functional p53 molecule.

25

Although many human tumors are p53 deficient, a significant number of tumors are p53 positive. Without being bound to any particular mechanism of action, we believe that the p53 produced in p53 positive tumor cells is of insufficient concentration to induce apoptosis. Therefore, the administration of agents which enhance the effective concentration of p53 in p53 positive tumor cells would permit the endogenous p53 to exert its therapeutic effect. The present invention provides a method of inducing p53 mediated apoptosis in a p53 positive cell by the administration of a calpain inhibitor.

30

The effect of an inhibitor of  $\mu$ -calpains, CI-1 (N-acetyl-leu-leu-norleucinal), was investigated for its ability to enhance p53 mediated apoptosis in tumor cell lines having p53+ and p53- status listed in Table 1. Each cell line was treated with 5-50 $\mu$ M CI-1 for 17-26 hours. To detect a G0/G1 block, bromodeoxyuridine (BrdU) incorporation followed by flow cytometric analysis was done 17 hours post-treatment as described in Example 4 herein. In response to 17 hours of treatment, bromodeoxyuridine labeling showed wildtype, but not mutated p53 cell lines arrested in G0/G1. Annexin V-FITC and propidium iodide staining (as more fully described in Example \_\_\_ herein) was then used to determine if the cells were induced to apoptosis. Wildtype p53 tumor cell lines, but not mutated or null, were sensitive to CI-1 induced apoptosis, as assayed 26 hours post-treatment by annexin V-FITC and propidium iodide staining, suggesting activation of a p53 dependent apoptotic pathway in response to CI-1 treatment. The results of these experiments are presented in Figures 1 and 2 of the attached drawings. In figure 1, each point on the graph represents percentage annexin V positive after background percentage

35

40

45

50

5

10

(DMF alone) was subtracted. The results of these experiments is presented in Table 3 below:

15

20

25

Table 3: Percent Annexin V Positive Staining; 26 hours post treatment (HeLa 44 hours)							
[CI-1]	HLF	SK-Hep-1	RKO	A549	Hep3B	HeLa	DLD-1
0	12	20	10	5	30	39	8
10	27	32	13	6	42	28	15
20	27	66	33	5	36	48	17
30	33	73	52	7	44	55	17
40	20	75	52	18	44	67	23
50	21	73	57	18	32	80	18

30

35

40

45

50

- 5 The data presented above demonstrates that at 26 hours post-treatment with CI-1, p53 wildtype tumor cells demonstrated a significant increase in the percentage of cells undergoing apoptosis in contrast to the p53 mutated and null tumor cells. The data presented demonstrates an increasing dose response with increasing concentrations of CI-1. At 20 $\mu$ M concentration, the increase in the percent of cells annexin V positive over background staining became more significant in cells with p53 wildtype status. SK-Hep1 cells increased the percentage of annexin V positive cells from background staining of 20% to 66%. In RKO cells, an increase from 10% to 52% cells annexin V positive cells was seen. HLF increased from a background staining of 12% to 27% and DLD-1 increased from 8% to 11%. At the highest concentration, 50 $\mu$ M, SK-Hep1 increased annexin V positive cell to 73%, RKO to 61%, while DLD1 increased to 23%, and HLF to 21%. The hepatocellular carcinoma cell line with null p53 status, Hep3B, (Fig 1) showed no increase in the percentage of apoptotic cells in response to even the highest concentration of inhibitor (50 $\mu$ M). Other cell lines treated with CI-1 included the p53 wild type glioblastoma cell line U87, which showed an increase in the percentage of apoptotic cells from 5% to 72% in response to 20 $\mu$ M CI-1 treatment. When U87 cells were treated with a lower concentration of calpain inhibitor 1, 10 $\mu$ M for 4 days, nearly

5

10 100% of cells were annexin V-FITC positive. The lung cell line with p53 mutated status, NCI-H596 showed no increase in the percent of cells annexin V positive in response to treatment. HeLa cells, which have E6 mediated degradation of p53, were induced to apoptosis with higher concentrations of CI-1.

15 5 The use of an inhibitor more specific for inactivation of milli-calpains, calpain inhibitor 2, showed no significant effect on the induction of apoptosis in combination with rAd-p53 in HLF cells at 10 $\mu$ M (6% untreated to 22% rAd-p53 treated to 28% rAd-p53+10  $\mu$ M CI-1). At higher concentrations (150 $\mu$ M), where this inhibitor has been shown to inactivate  $\mu$ -calpains, there was 64% annexin V-  
20 10 FITC positive cells were treated with 150 micromolar CI-2 and infected with rAd-p53 as compared with 22% for rAd-p53. In a cell line with endogenous wildtype p53, SK-Hep1, treatment with calpain inhibitor 2 at 20 $\mu$ M gave no significant increase in annexin V-FITC positive cells (See Figure 3), in contrast to treatment with calpain inhibitor 1 shown above. (Sources and protocols are provided in the  
25 15 Examples below).

30 30 Increased activity of p53 in response to calpain inhibitor 1 treatment was detected by the ability of cell lines with wildtype p53 status to arrest in G0/G1. The hepatocellular carcinoma cell line with p53 mutated status, HLF, treated with the solvent DMF alone showed 42% of the cells incorporating BrdU label after a 2 hour  
35 20 pulse time (figure2). In response to 5 $\mu$ M CI-1, 35% of the cells were incorporating BrdU label (figure2). In contrast, SK-Hep1 cells with wildtype p53 status showed 34% of the control cells incorporating BrdU in response to DMF, while 8 % of cells incorporated BrdU label in response to 5 $\mu$ M CI-1. A colorectal cell line RKO, with p53 wildtype status showed 47% of the control cells incorporating BrdU in  
40 25 response to DMF, while 16% of cells incorporated BrdU label in response to 5 $\mu$ M CI-1. In contrast, DLD1 cells showed 35% of cells incorporating BrdU without calpain treatment, and upon 5 $\mu$ M CI-1 treatment for 17 hours, the percentage of cells incorporating BrdU decreased only to about 25%.

45 30 C: Micro-calpain Inhibitors Increase the Infectivity of a Target Cell to Viral Vectors:  
50 45 It has been observed that the infectivity of cells with respect to a given viral vector varies. The basis for this difference in infectivity is not well understood. In instances where intracellular gene dosage is important, such as in the use of p53 to induce apoptosis, it may be necessary or desirable to increase the infectivity of the  
55 35

5

10

cells to the particular vector. Additionally, increasing the infectivity of a cell to the particular vector may permit the use of smaller dosages to achieve similar therapeutic activity, therefore reducing potential side effects of the treatment. The present invention provides a method of increasing the infectivity of a cell to a viral vector by treatment of the cell with a calpain inhibitor.

15

The term "increasing infectivity" refers to an increase in the ability of a viral vector to infect a cell as measured by an increase in infection transduction efficiency. "Infection Transduction Efficiency" (ITE) will be used herein to describe this value, and is proportional to the probability that the collision of a virus particle will result in the successful expression of the transgene encoded thereby. Only a fraction of the contacts between the adenovirus and the cell surface will result in a successful infection/transduction event. The probability of a virus particle colliding with a cell can be modeled using classical diffusion kinetics. Without providing the distinct mathematical derivation, it can be determined that ITE is described by the

20

equation:

25

$$\text{ITE} = -\ln(1 - F) / I \phi V t^{0.5}$$

30

wherein, F represents the fraction of cells in a given population which are "positive" for the parameter under evaluation (e.g. expression of the virally encoded gene);  $\phi$  represents the average surface area of the cell; I is a constant proportional to the diffusion coefficient and will be affected by the virus, the viscosity of the solution, etc. and is determined empirically, t is the time of exposure and V is the concentration of particles per unit volume.

35

The term viral vector is described above with the exception that the expression cassette is not limited to the p53 gene rather includes a therapeutic transgene.

40

The term "therapeutic transgene" refers to a nucleotide sequence the expression of which in the target cell produces a therapeutic effect. The term therapeutic transgene includes but is not limited to tumor suppressor genes, antigenic genes, cytotoxic genes, cytostatic genes, pro-drug activating genes, apoptotic genes, pharmaceutical genes or anti-angiogenic genes. The vectors of the present invention may be used to produce one or more therapeutic transgenes, either in tandem through the use of IRES elements or through independently regulated promoters.

45

50

5

The term "tumor suppressor gene" refers to a nucleotide sequence, the expression of which in the target cell is capable of suppressing the neoplastic phenotype and/or inducing apoptosis. Examples of tumor suppressor genes useful in the practice of the present invention include the p53 gene, the APC gene, the DPC-4 gene, the BRCA-1 gene, the BRCA-2 gene, the WT-1 gene, the retinoblastoma gene (Lee, *et al.* (1987) Nature 329:642), the MMAC-1/PTEN gene, the adenomatous polyposis coli protein (Albertsen, *et al.*, United States Patent 5,783,666 issued July 21, 1998), the deleted in colon carcinoma (DCC) gene, the MMSC-2 gene, the NF-1 gene, nasopharyngeal carcinoma tumor suppressor gene that maps at chromosome 3p21.3. (Cheng, *et al.* 1998. Proc. Nat. Acad. Sci. 95:3042-3047), the MTS1 gene, the CDK4 gene, the NF-1 gene, the NF2 gene, and the VHL gene.

The term "antigenic genes" refers to a nucleotide sequence, the expression of which in the target cells results in the production of a cell surface antigenic protein capable of recognition by the immune system. Examples of antigenic genes include carcinoembryonic antigen (CEA), p53 (as described in Levine, A. PCT International Publication No. WO94/02167 published February 3, 1994). In order to facilitate immune recognition, the antigenic gene may be fused to the MHC class I antigen.

The term "cytotoxic gene" refers to nucleotide sequence, the expression of which in a cell produces a toxic effect. Examples of such cytotoxic genes include nucleotide sequences encoding pseudomonas exotoxin, ricin toxin, diphtheria toxin, and the like.

The term "cytostatic gene" refers to nucleotide sequence, the expression of which in a cell produces an arrest in the cell cycle. Examples of such cytostatic genes include p21, the retinoblastoma gene, the E2F-Rb gene, genes encoding cyclin dependent kinase inhibitors such as p16, p15, p18 and p19, the growth arrest specific homeobox (GAX) gene as described in Branellec, *et al.* (PCT Publication WO97/16459 published May 9, 1997 and PCT Publication WO96/30385 published October 3, 1996).

The term "cytokine gene" refers to a nucleotide sequence, the expression of which in a cell produces a cytokine. Examples of such cytokines include GM-CSF, the interleukins, especially IL-1, IL-2, IL-4, IL-12, IL-10, IL-19, IL-20, interferons of the  $\alpha$ ,  $\beta$  and  $\gamma$  subtypes especially interferon  $\alpha$ -2b and fusions such as interferon  $\alpha$ -2 $\alpha$ -1.

5

10

15

20

25

30

35

40

45

50

The term "chemokine gene" refers to a nucleotide sequence, the expression of which in a cell produces a cytokine. The term chemokine refers to a group of structurally related low-molecular weight factors secreted by cells having mitogenic, chemotactic or inflammatory activities. They are primarily cationic proteins of 70 to 100 amino acid residues that share four conserved cysteine These proteins can be sorted into two groups based on the spacing of the two amino-terminal cysteines. In the first group, the two cysteines are separated by a single residue (C-x-C), while in the second group, they are adjacent (C-C). Examples of member of the 'C-x-C' chemokines include but are not limited to platelet factor 4 (PF4), platelet basic protein (PBP), interleukin-8 (IL-8), melanoma growth stimulatory activity protein (MGSA), macrophage inflammatory protein 2 (MIP-2), mouse Mig (m119), chicken 9E3 (or pCEF-4), pig alveolar macrophage chemotactic factors I and II (AMCF-I and -II), pre-B cell growth stimulating factor (PBSF), and IP10. Examples of members of the 'C-C' group include but are not limited to monocyte chemotactic protein 1 (MCP-1), monocyte chemotactic protein 2 (MCP-2), monocyte chemotactic protein 3 (MCP-3), monocyte chemotactic protein 4 (MCP-4), macrophage inflammatory protein 1  $\alpha$  (MIP-1- $\alpha$ ), macrophage inflammatory protein 1  $\beta$  (MIP-1- $\beta$ ), macrophage inflammatory protein 1  $\gamma$  (MIP-1- $\gamma$ ), macrophage inflammatory protein 3  $\alpha$  (MIP-3- $\alpha$ ), macrophage inflammatory protein 3  $\beta$  (MIP-3- $\beta$ ), chemokine (ELC), macrophage inflammatory protein 4 (MIP-4), macrophage inflammatory protein 5 (MIP-5), LD78  $\beta$ , RANTES, SIS-epsilon (p500), thymus and activation-regulated chemokine (TARC), eotaxin, I-309, human protein HCC-1/NCC-2, human protein HCC-3, mouse protein C10.

The term "pharmaceutical protein gene" refers to nucleotide sequence, the expression of which results in the production of protein have pharmaceutically effect in the target cell. Examples of such pharmaceutical genes include the proinsulin gene and analogs (as described in PCT International Patent Application No. WO98/31397, growth hormone gene, dopamine, serotonin, epidermal growth factor, GABA, ACTH, NGF, VEGF (to increase blood perfusion to target tissue, induce angiogenesis, PCT publication WO98/32859 published July 30, 1998), thrombospondin etc.

The term "pro-apoptotic gene" refers to a nucleotide sequence, the expression thereof results in the programmed cell death of the cell. Examples of

55

5

pro-apoptotic genes include p53, adenovirus E3-11.6K, the adenovirus E4orf4 gene, p53 pathway genes, and genes encoding the caspases.

10

The term "pro-drug activating genes" refers to nucleotide sequences, the expression of which, results in the production of protein capable of converting a non-therapeutic compound into a therapeutic compound, which renders the cell susceptible to killing by external factors or causes a toxic condition in the cell. An example of a prodrug activating gene is the cytosine deaminase gene. Cytosine deaminase converts 5-fluorocytosine to 5 fluorouracil, a potent antitumor agent). The lysis of the tumor cell provides a localized burst of cytosine deaminase capable of converting 5FC to 5FU at the localized point of the tumor resulting in the killing of many surrounding tumor cells. This results in the killing of a large number of tumor cells without the necessity of infecting these cells with an adenovirus (the so-called bystander effect"). Additionally, the thymidine kinase (TK) gene (see e.g. Woo, *et al.* United States Patent No. 5,631,236 issued May 20, 1997 and Freeman, 20 15 *et al.* United States Patent No. 5,601,818 issued February 11, 1997) in which the cells expressing the TK gene product are susceptible to selective killing by the administration of gancyclovir may be employed.

20

The term "anti-angiogenic" genes refers to a nucleotide sequence, the expression of which results in the extracellular secretion of anti-angiogenic factors. 25 Anti-angiogenesis factors include angiostatin, inhibitors of vascular endothelial growth factor (VEGF) such as Tie 2 (as described in PNAS(USA)(1998) 95:8795-8800) and endostatin.

30

It will be readily apparent to those of skill in the art that modifications and/or deletions to the above referenced genes so as to encode functional subfragments of the wild type protein may be readily adapted for use in the practice of the present invention. It will be readily apparent to those of skill in the art that the above therapeutic genes may be secreted into the media or localized to particular intracellular locations by inclusion of a targeting moiety such as a signal peptide or nuclear localization signal(NLS). Also included in the definition of therapeutic 35 transgene are fusion proteins of the therapeutic transgene with the herpes simplex virus type 1 (HSV-1) structural protein, VP22. See, e.g. Elliott, G. & O'Hare, P. Cell. 88:223-233:1997; Marshall, A. & Castellino, A. Research News Briefs. Nature Biotechnology. 15:205:1997; O'Hare, *et al.* PCT publication WO97/05265 published February 13, 1997. A similar targeting moiety derived from the HIV Tat 40 45 50 protein is also described in Vives, *et al.* (1997) J. Biol. Chem. 272:16010-16017.

55

5

10

The effects of the use of calpain inhibitors, particularly CI-1, were investigated in their ability to increase the infectivity of the HLF tumor cell line to rAd-p53. HLF cell lines were prepared in substantial accordance with the teaching of example 6 herein. The cells were exposed to two concentrations of rAd-p53 in the presence and absence of 10  $\mu$ M CI-1. The total number of copies of rAd-p53 DNA were determined by PCR as described in Example 6. The results of these experiments are presented in Table 4 below and in graphical form in Figure 7 of the attached drawings.

15

20

25

30

35

40

45

50

55

Table 4. Effect of CI-1 on the Infectivity of HLF Cells In Response to Co-Adminsitration with ACN53.		
rAd-53 (particles/ml)	[CI-1] $\mu$ M	p53 DNA (copies/6.8 x 10 <sup>5</sup> cells)
1 x 10 <sup>7</sup>	0	2.4 x 10 <sup>3</sup>
1 x 10 <sup>7</sup>	10	1.2 x 10 <sup>5</sup>
1 x 10 <sup>8</sup>	0	3.3 x 10 <sup>4</sup>
1 x 10 <sup>8</sup>	10	1.5 x 10 <sup>6</sup>

10 As can be clearly seen from the data presented, the introduction of 10  $\mu$ M concentration of the calpain inhibitor CI-1 resulted in a 50 fold increase in intracellular viral DNA at a viral concentration of 1 x 10<sup>7</sup> and 1 x 10<sup>8</sup> particles.

15 A similar experiment was conducted to determine the effect of pre-treatment of the cells with the calpain inhibitor. The cell lines were prepared as indicated above.

15 In this experiment, one group of cells was pretreated with a 10  $\mu$ M concentration of CI-1 for a period of 6 hours prior to exposure to the Ad-p53. The control sample was not pretreated. The results of these experiments are presented in Table 5 below and in graphical form in Figure 7 of the attached drawings.

5

10

15

20

25

30

35

40

45

50

Table 5.  
Effect of CI-1 on the Infectivity of HLF Cells In Response to 6 Hour Pre-Treatment  
with CI-1

ACN53 (particles/ml)	[CI-1] μM	p53 DNA (copies/6.8x10 <sup>3</sup> cells)
3 x 10 <sup>7</sup>	0	6.5 x 10 <sup>3</sup>
3 x 10 <sup>7</sup>	10	9.5 x 10 <sup>3</sup>

As can be seen from the data presented, the effect of pretreatment of the cells with CI-1 increased the infectivity of the cells to the virus to approximately 130 times that of the untreated cells, as compared without pre-treatment, where the effect was 50 fold higher. Thus, it is preferred that the cells be pretreated with the calpain inhibitor prior to exposure to the viral vector to maximize the infectivity of the cell line to the vector.

The *in vitro* results presented above were confirmed in a rodent cancer model. Briefly, healthy immune competent mice were injected with JC (mouse mammary carcinoma, p53 mutant) cells and tumors were permitted to form. This is a particularly rigorous model as JC cells are particularly difficult to infect and the mouse is an immunocompetent mouse capable of producing an immune response to the human adenovirus and/or the human p53 transgene. After 2 weeks, flank tumors were present in all animals. Calpain inhibitor was administered via intraperitoneal injection to a concentration of approximately 60 mg/kg approximately 24 hours prior to administration of the recombinant rAd-p53 virus. Appropriate control viruses and solutions were employed. The mice were injected with 1 x 10<sup>10</sup> particles of rAd-p53 per injection intratumorally in combination with intraperitoneally injected CI-1 at a concentration of 60 mg/kg for a period of 5 days, 2 days off and then for 5 more days. Tumor growth/regression was evaluated at Day 4, Day 8 and Day 11 post-treatment (figures 12 A,B and C respectively). In all instances the rate of decrease in tumor growth was at least 40% reduction in fold increase in tumor volume in mice treated with calpain inhibitor 1 in addition to FTCB, in comparison with the mice treated with the FTCB vector alone. It is particularly noteworthy in this instance that calpain inhibitor alone provided significant antitumor effects. Microscopic examination of other organs removed from the animals indicates little or no collateral effects of the administration

5

10 indicating that non-tumor p53 positive cells were not harmed by the treatment regimen. This model provides demonstrative proof of the use of the compositions and methods of the present invention in the *in vivo* treatment of cancer.

15 5 D. Increase NF-Kappa-B Mediated Transcription of Transgenes

20 10 Nuclear Factor Kappa B (NFkB) was initially thought to be active only in B cells where it binds to a specific DNA sequence (GGGGACTTTCC) within the immunoglobulin light chain kappa enhancer region in mice and humans. However, later studies have demonstrated that NFkB is an inducible factor which is present in 15 a wide variety of cell types. This factor regulates the transcription of a wide variety 20 of cellular and viral genes including c-myc, the interleukins, receptors, adhesion molecules, p53 and the CMV early promoter. This factor is induced in response to 25 a variety of primarily pathogenic stimuli including IL-1, TNF- $\alpha$ , adhesion, bacterial lipopolysaccharides (LPS), and oxidative stress. Because induction of NFkB is 30 blocked by antioxidants, it is believed that activation of NFkB employs reactive 35 oxide intermediates (ROIs) as intracellular second messengers in response to the above stimuli.

40 30 Calpain inhibitor I has been shown to be an inhibitor of the proteolysis of IkB and hence of an inhibitor of the activation of NFkB. Ruetten and 45 20 Thiemermann (1997) Br. J. Pharmacol 121:695-704. Similar studies indicating 35 that the subsequent degradation of IkB involves calpains and that calpain inhibitors decrease NFkB activity exist. For example, Milligan, *et al.* indicate that CI-1 decreases the nuclear translocation of NFkB and that CI-1 inhibited the degradation 40 of IkB, Arch Biochem Biophys (1996) 335:388-395. See also, Claudio, *et al.* 45 25 (1996) Exp Cell Res 224:63-71 ("The activation of NFKB can be blocked by the cysteine protein inhibitor calpain inhibitor I"). Parry, *et al.* indicated that N-acetyl-leucinyl-leucinyl-norleucinal induced proteosome inhibition could block expression 50 30 of a reporter gene under the control of the NFKB inducible MCP-1 promoter. Arterioscler Thromb Vasc Biol (1998) 18:934-940. However, calpain inhibition 35 40 had no effect on expression of the MCP-1 driven reporter gene, stating "[t]he effects of [N-acetyl-leucinyl-leucinyl-norleucinal] were due to its inhibition of the proteasome in addition to calpain, because other calpain inhibitors had no effect on 45 50 MCP-1 expression. In contrast to TPCK, which blocks NFkB translocation at the nucleus, [N-acetyl-leucinyl-leucinyl-norleucinal] had no effect on NFkB nuclear translocation or IL-1 $\beta$  induced phosphorylation of p65."

5

In contrast to these studies, the present invention further provides a method  
of enhancing transcription of a therapeutic transgene from the CMV promoter. The  
term "enhancing transcription" refers to an increase in the transcriptional activity of  
those sequences operably linked to the CMV promoter. The term CMV promoter  
means the immediate early promoter of the cytomegalovirus. The promoter may be  
isolated as a restriction endonuclease fragment from the commercially available  
vector pCMV $\beta$  (GenBank Accession Number U02451). NFkB has been  
conclusively demonstrated to enhance transcription from the CMV promoter. The  
CMV promoter is a strong constitutive promoter widely utilized in the expression  
of exogenous transgenes from viral vectors. Recent reports indicated an  
upregulation of the CMV promoter driven genes in response to recombinant  
adenoviral infection. Loser, et al. (1998) J. Virol. 72:180-190. As previously  
indicated, the addition of agents which raise intracellular p53 concentration,  
regardless of mechanism, are desired to induce p53 mediated apoptosis. The ability  
of CI-1 to enhance NF-kB and AP-1 levels was demonstrated using a gel shift assay  
as more fully described in Example 8 below. The results are presented in Figure 10  
of the attached drawings. In response to calpain inhibitor 1 treatment, a 42%  
increase in NF-kB activation was detected, and a 50% increase in AP1 activation  
was detected as quantified by densitometer readings. The results of the gel shift  
assay demonstrate the ability of CI-1 to enhance the levels of NF-kB and AP-1 in  
the HLF hepatocellular carcinoma cell line. While not being limited by any  
mechanism of action, the use of CI-1 demonstrably increases the level of p53  
produced by ACNS3 in a cell may involve upregulation of the p53 transgene driven  
by the CMV promoter by the *in vivo* stabilization of NFkB. Also, the  
transcriptional factor AP1 is activated in response to calpain inhibitor 1 treatment,  
and there are AP1 binding sites on the CMV promoter for activation of promoter.  
These results were confirmed *in vivo*. Two C57BL/6 mice were treated  
with 60 mg/kg injected intraperitoneally on day minus one. Three control mice  
were injected with CI-1 solvent only (PBS/.02% DMSO). On day zero, all mice  
were tail vein injected with  $9 \times 10^9$  particle/ml with a recombinant adenovirus  
encoding the beta-galactosidase transgene. CI-1 or solvent was administered one  
additional time on day one for three total intraperitoneal administrations of CI-1.  
Mice were sacrificed three days and nine days later (four-and ten days post-infection  
respectively), and livers were harvested for quantitative PCR and RT-PCR to detect  
viral DNA and viral transcript (b-galactosidase) respectively. One third of the

55

5

10 miceexpressed a high level of transgene RNA in response to calpain inhibitor 1 treatment, as compared with virus alone. Approximately a six fold higher level was observed.

15 5 E. Use of Calpain Inhibitors to Decrease the In Vivo CTL Response to Recombinant Adenoviral Vectors

20 10 The present invention also provides a method to suppress the *in vivo* CTL response to viral vectors by the use of calpain inhibitors. N-acetyl-leucinyl-leucinyl-norleucinal (Calpain Inhibitor I) has proteosome as well as calpain inhibitor activity. At concentrations below 50  $\mu$ M, CI-1 is primarily an inhibitor of calpain. However, above 50  $\mu$ M, CI-1 has been shown to inhibit proteasome function. This inhibition effects antigenic peptide presentation to T cells as the proteosome is the primary enzymatic complex that degrades proteins into peptides prior to insertion into the ER through the TAP complex where loading onto MHC class I occurs

25 15 (Rock, *et al.*). Thus class I restricted responses by T cells are inhibited due to the lack of sufficient class I MHC peptide complexes; the ligand for T cell receptors on CD8 $^{+}$  T cells. The calpain inhibitors may also effect antigen presentation by a mechanism that is not generally obvious. Namely, the calpain inhibitor may inhibit apoptosis of non-transduced cells such as antigen presenting cells (e.g.,

30 20 macrophages, dendritic cells) which may affect the capacity for antigen transfer to dendritic cells through phagocytosis of the apoptotic cells, thus effecting maturation of the dendritic cells and antigen presentation function following migration to regional lymphnodes where the dendritic cells activate T cells.

35 25 The applicants hypothesized that the combined effect on MHC Class 1 presentation and apoptosis of non-transduced will reduce the immune response to the viral vectors. This was confirmed in a *in vivo* mouse model in substantial accordance with the teaching of example & herein. The results are shown in the figure 8 of the attached drawings. The results show that intravenous administration of  $9 \times 10^9$  PN/mouse elicited a vigorous CTL response as compared to naive animals

40 30 administered only buffer. Moreover the data show that treatment with the calpain inhibitor at two different concentrations resulted in a significant inhibition of the CTL response in BGCG injected mice. There was greater than a five-fold decrease in the relative number of CTL lytic-units upon treatment with calpain inhibitor CI-1 as determined by measuring the relative effector to target ratio which results in 25%

45 35 killing. This data demonstrates that the effects of the CI-1 treatment on the immune

50

5

response further augments the relative capacity to administer p53 gene therapy by transiently inhibiting the immune response to the adenovirus vector treatment.

10

F. Pharmaceutical Formulations:

5 The present invention further provides a pharmaceutical formulations of p53 and a calpain inhibitor in a pharmaceutically acceptable carrier.

15

The term "formulation" refers to pharmaceutical formulations comprising a protein, viral or non-viral delivery system for administration *in vivo* or *ex vivo* to an individual in need of treatment. *In vivo* administration will typically employ the compositions of the present invention formulated for intramuscular, intravenous, intrarumoral, intrahepatic artery, intraperitoneal or intravesicular, injectable depot-type devices or topical routes of administration. Examples wherein the compositions of the present invention include polymer matrices, hydrogel matrices, polymer implants, or encapsulated formulations to allow slow or sustained release of the compositions. Examples of formulations for the delivery of transgenes via non-viral delivery systems to the airway epithelia is described in Debs and Zhu, United States Patent No 5,641,622 issued June 24, 1997.

20

Again, p53 refers to the p53 protein therapy and gene therapy systems for the delivery of a nucleotide sequence encoding p53. While the combined effect of p53 and the calpain inhibitor are not limited to a given vehicle for the introduction of the p53 molecule, in the preferred practice of the invention, the p53 molecule is introduced by gene therapy methods using a viral vector derived from genus adenoviridae. Particularly preferred viruses are derived from the human adenovirus type 2 or type 5. Such viruses are preferably replication deficient by

25

modifications or deletions in the E1a and/or E1b coding regions. Other modifications to the viral genome to achieve particular expression characteristics or permit repeat administration or lower immune response are preferred. More preferred are recombinant adenoviruses having complete or partial deletions of the E4 coding region, optionally retaining E4orf6 and E4orf6/7. The E3 coding sequence may be deleted but is preferably retained. In particular, it is preferred that the promoter operator region of E3 be modified to increase expression of E3 to achieve a more favorable immunological profile for the therapeutic vectors. Most preferred are human adenoviral type 5 vectors containing a DNA sequence encoding p53 under control of the cytomegalovirus promoter region and the tripartite leader sequence having E3 under control of the CMV promoter and deletion of E4 coding

30

35

40

45

50

5

regions while retaining E4orf6 and E4orf6/7. In the most preferred practice of the  
10 invention as exemplified herein, the vector is ACN53, as described in Wills, *et al.*  
(1994) Human gene therapy 5:1079-1088.

The term "carriers" refers to compounds commonly used on the formulation  
5 of pharmaceutical compounds used to enhance stability, sterility and deliverability  
of the therapeutic compound. When the viral, non-viral or protein delivery system is  
15 formulated as a solution or suspension, the delivery system is in an acceptable  
carrier, preferably an aqueous carrier. A variety of aqueous carriers may be used,  
e.g., water, buffered water, 0.8% saline, 0.3% glycine, hyaluronic acid and the  
like. These compositions may be sterilized by conventional, well known  
20 sterilization techniques, or may be sterile filtered. The resulting aqueous solutions  
may be packaged for use as is, or lyophilized, the lyophilized preparation being  
combined with a sterile solution prior to administration. The compositions may  
contain pharmaceutically acceptable auxiliary substances as required to approximate  
25 physiological conditions, such as pH adjusting and buffering agents, tonicity  
adjusting agents, wetting agents and the like, for example, sodium acetate, sodium  
lactate, sodium chloride, potassium chloride, calcium chloride, sorbitan  
monolaurate, triethanolamine oleate, etc.

The terms "delivery enhancers" or "delivery enhancing agents" are used  
30 interchangeably herein and includes agents which facilitate the transfer of the nucleic  
acid or protein molecule to the target cell. Examples of such delivery enhancing  
agents detergents, alcohols, glycols, surfactants, bile salts, heparin antagonists,  
35 cyclooxygenase inhibitors, hypertonic salt solutions, and acetates. Alcohols include  
for example the aliphatic alcohols such as ethanol, N-propanol, isopropanol, butyl  
40 alcohol, acetyl alcohol. Glycols include glycerine, propylene glycol,  
polyethylene glycol and other low molecular weight glycols such as glycerol and  
thioglycerol. Acetates such as acetic acid, gluconic acid, and sodium acetate are  
further examples of delivery-enhancing agents. Hypertonic salt solutions like 1M  
45 NaCl are also examples of delivery-enhancing agents. Examples of surfactants are  
30 sodium dodecyl sulfate (SDS) and lysolecithin, polysorbate 80,  
nonylphenoxypolyoxyethylene, lysophosphatidylcholine, polyethylene glycol 400,  
polysorbate 80, polyoxyethylene ethers, polyglycol ether surfactants and DMSO.  
Bile salts such as taurocholate, sodium tauro-deoxycholate, deoxycholate,  
50 chenodesoxycholate, glycocholic acid, glycochenodeoxycholic acid and other  
35 astringents such as silver nitrate may be used. Heparin-antagonists like quaternary

5

10 amines such as protamine sulfate may also be used. Cyclooxygenase inhibitors such as sodium salicylate, salicylic acid, and non-steroidal antiinflammatory drug (NSAIDS) like indomethacin, naproxen, diclofenac may be used. Delivery-enhancing agents includes compounds of the formula I:

5

15

I

10

20

wherein X1 and X2 are selected from the group consisting of a cholic acid group, a deoxcholic acid group and a saccharide group, m is an integer from 2 to 8 and preferably 2 or 3; n is an integer from 2 to 8 and preferably 2 or 3, and R is a

25

15 cationic group, a saccharide group or a structure -CO-X3 wherein X3 is a sachharide group. The saccharide group may be selected from the group consisting of pentose monosaccharide groups, hexose monosaccharide groups, pentose-pentose disaccharide groups, hexose-hexose disaccharide groups, pentose-hexose disaccharide groups, and hexose-pentose disaccharide groups.

30

20 The term "detergent" includes anionic, cationic, zwitterionic, and nonionic detergents. Exemplary detergents include but are not limited to taurocholate, deoxycholate, taurodeoxycholate, cetylpyridium, benalkonium chloride, Zwittergent®3-14 detergent, CHAPS (3-{(3-Cholamidopropyl)dimethylammonio]-1-propanesulfonate hydrate), Big CHAP, Deoxy Big CHAP, Triton®-X-100 detergent, C12E8, Octyl-B-D-Glucopyranoside, PLURONIC®-F68 detergent, Tween® 20 detergent, and TWEEN® 80 detergent (CalBiochem® Biochemicals).

40

The pharmaceutical formulation may be provided in a single premixed formulation or provided in a kit of parts for mixing by the end user. The term "kit" 30 as used herein refers to a unit packaged combination of the elements of a formulated calpain inhibitor and a protein, viral or non-viral p53 formulation. Such kits promote the proper use and formulation of the materials when used in combination and avoid improper dosing. The formulated elements of the kit may be in ready to use or precursor form (e.g. lyophilized form) requiring reconstitution in a solution.

50

5

The kit preferably contains the appropriate carriers and solvents to reconstitute the precursor form of the p53 and calpain inhibitor elements.

10

G. Methods of Use:

- 5        The present invention provides a method of ablating neoplastic cells in a mammalian organism *in vivo* by the co-administration of a calpain inhibitor and p53.
- 10      The term "ablating" means the substantial reduction of the population of viable neoplastic cells so as to alleviate the physiological maladictions of the presence of the neoplastic cells. The term "substantial" means a reduction in the population of viable neoplastic cells in the mammalian organism by greater than approximately 20% of the pretreatment population. The term "viable" means having the uncontrolled growth and cell cycle regulatory characteristics of a neoplastic cell. The term "viable neoplastic cell" is used hereing to distinguish said cells from
- 15      neoplastic cells which are no longer capable of replication. For example, a tumor mass may remain following treatment, however the population of cells comprising the tumor mass may be dead. These dead cells have been ablated and lack the ability to replicate, even though some tumor mass may remain.
- 20      The term "neoplastic cell" is a cell displaying an aberrant growth phenotype characterized by independence of normal cellular growth controls. As neoplastic cells are not necessarily replicating at any given time point, the term neoplastic cells comprise cells which may be actively replicating or in a temporary non-replicative resting state (G1 or G0). Localized populations of neoplastic cells are referred to as neoplasms. Neoplasms may be malignant or benign. Malignant neoplasms are also referred to as cancers. The term cancer is used interchangeably herein with the term tumor. Neoplastic transformation refers the conversion of a normal cell into a neoplastic cell, often a tumor cell.
- 25      The term "mammalian organism" includes, but is not limited to, humans, pigs, horses, cattle, dogs, cats. The methods and compositions of the present
- 30      invention may be used for the treatment of a variety of organisms suffering from of diseases associated with p53 dysfunction and may be used to eliminate p53 negative cells from a population of cells. For example, the formulations and methods of the present invention may be used for the treatment of a variety of mammalian species suffering from such maladies including humans, pigs, horses, cattle, dogs, cats,
- 35      preferably by employing vectors encoding, for example, human p53, porcine p53,

40

-- 35 --

55

5

equine p53, bovine p53, canine p53 (Velhoen & Milner (1998) Oncogene 16:1077-1084), feline p53, etc. respectively. Preferably one employs an adenoviral vector endogenous to the mammalian type being treated. Although it is generally favored to employ a virus from the species to be treated, in some instances it may be

10

5 advantageous to use vectors derived from different species which possess favorable pathogenic features. For example, it is reported (WO 97/06826 published April 10, 1997) that ovine adenoviral vectors may be used in human gene therapy to minimize the immune response characteristic of human adenoviral vectors. By minimizing the immune response, rapid systemic clearance of the vector is avoided resulting in  
15 a greater duration of action of the vector.

20

The term "co-administration" refers to the administration within a sufficient time such that the therapeutic effect of one element has not been eliminated prior to the administration of the second agent. For example, it has been observed that the prior treatment of cells with calpain inhibitor 1 will increase the infectivity of those  
25 15 cells to viral vectors. Consequently, although not administered at the same time, the calpain inhibitor is deemed to be co-administered with the virus when the infectivity enhancing effect of the calpain inhibitor persists.

25

Examples of diseases currently demonstrated as candidates for treatment with p53 therapy include a broad variety of cancers commonly associated with p53 mutations. Approximately 65% of all cancer cell types studied to date implicate that p53 dysfunction is associated with the neoplastic phenotype of these cells. Consequently, these cancers are the primary cancers such as ovarian cancer, head and neck cancer. Based on the foregoing data presented herein, in a given application, one would expect that the dosage of a recombinant adenoviral vector  
30 25 encoding p53 may be decreased by approximately a factor of 2 logs when the concentration of CI-1 is approximately 10 $\mu$ M to achieve intracellular p53 dosage substantially equivalent to the administration of the rAd-p53 vector alone.

40

The total dosage of the p53 to be administered to an organism in need of treatment is based on a variety of factors. When viral vector delivery systems are employed in p53 gene therapy such factors include the infectivity of the particular vector with respect to the target cell, the total number of viral copies of the virus produced in the target cell, the relative strength of the control regions used to express the p53 molecule (i.e the intracellular and particularly intranuclear p53 concentration), etc. In the case of p53 protein therapy (as well as p53 gene therapy) one must also  
45 30 consider the effects of diffusion/dissolution, the nature of the route of

50

5

10

administration (e.g., localized versus systemic), the particular activity of the p53 species employed. However, these factors may be readily determined by those of skill in the art. For example, in the case of the recombinant viral vector ACN53, the optimal human dose of has been determined in human clinical trials to be approximately  $2 \times 10^{13}$  PN. Consequently, one may readily determine based on the above data that a substantially equivalent effective dose of ACN53 may be decreased by a factor of 2 log in combination with a 10  $\mu$ M concentration of CI-1. The formulations of the present invention also provide a means to increase p53 dose or increase p53 expression without the need to increase the vector dose which is associated with toxicity in some systems.

20

25

30

35

40

45

50

The method of the present invention may be employed in combination with conventional chemotherapeutic agents or treatment regimens. Examples of such chemotherapeutic agents include inhibitors of purine synthesis (e.g., pentostatin, 6-mercaptopurine, 6thioguanine, methotrexate) or pyrimidine synthesis (e.g. Pala, azarbine), the conversion of ribonucleotides to deoxyribonucleotides (e.g. hydroxyurea), inhibitors of dTMP synthesis (5-fluorouracil), DNA damaging agents (e.g. radiation, bleomycines, etoposide, teniposide, dactinomycin, daunorubicin, doxorubicin, mitoxantrone, alkylating agents, mitomycin, cisplatin, procarbazine) as well as inhibitors of microtubule function (e.g vinca alkaloids and colchicine). Chemotherapeutic treatment regimens refers primarily to non-chemical procedures designed to ablate neoplastic cells such as radiation therapy. Examples of combination therapy when the therapeutic gene is p53 are described in Nielsen, *et al.* WO/9835554A2 published August 20, 1998. Examples of the utility of the combination of p53 and DNA damaging compounds are described in United States Patent No. 5,747,469 issued May 5, 1998.

The immunological response is significant to repeated *in vivo* administration of viral vectors. Consequently, the method of the present invention may include the co-administration of immunosuppressive agents. Examples of immunosuppressive agents include cyclosporine, azathioprine, methotrexate, cyclophosphamide, lymphocyte immune globulin, antibodies against the CD3 complex, adrenocorticosteroids, sulfasalazine, FK-506, methoxsalen, and thalidomide. Alternatively, when selectively replication or conditionally replication adenoviral vectors are employed, the elimination of E3-11.6K protein to minimize cell lysis induced by adenovirus until apoptosis is achieved. This would minimize the immune response until after the initial round of localized spreading occurs. At this

5

later time, once apoptosis of the initially infected cells is achieved and localized virus spreading is permitted, the immune response would be advantageous.

10

The present invention also provides a method of ablating neoplastic cells in a population of normal cells contaminated by said neoplastic cells *ex vivo* by the administration of a recombinant adenovirus of the present invention to said population. An example of the application of such a method is currently employed in *ex vivo* applications such as the purging of autologous stem cell products commonly known as bone marrow purging. The term "stem cell product" refers to a population of hematopoietic, progenitor and stem cells capable of reconstituting the long term hematopoietic function of a patient who has received myeloablative therapy.

20

Stem cell products are conventionally obtained by apheresis or mobilized or non-mobilized peripheral blood. Apheresis is conventionally achieved through the use of known procedures using commercially available apheresis apparatus such as the COBE Spectra Apheresis System, commercially available from COBE International,

25

1185 Oak Street, Lakewood, CO. It is preferred that treatment conditions be optimized to achieve a "3-log purge" (i.e. removal of approximately 99.9% of the tumor cells from the stem cell product) and most preferably a "5-log purge"

30

(removal of approximately 99.999% of tumor cells from the stem cell product). In the preferred practice of the invention, a stem cell product of 100 ml volume would be treated with up to  $5 \times 10^{11}$  particles per milliliter ( $5 \times 10^{13}$  particles) of the recombinant adenovirus of the present invention for a period of approximately 4 hours at 37°C. P53 gene therapy, particularly the use of adenoviral vectors encoding p53 have been used to effectively purge tumor cells from a population of stem cells. Results to date indicate that approximately  $8 \times 10^9$  PN/ml of stem cell product achieve

35

the 5-log purge considered optimal for autologous implantation. As indicated from the data presented, the use of calpain inhibitors can enhance the effect of rAd-p53 vectors by reducing the dosage by approximately 2 logs. Additionally, the data presented indicates that treatment of the cells with CI-1 increases the infectivity of the cells to rAd vectors by an additional 1-3 logs depending on the timing of the calpain inhibitor treatment. Thus, the combination of pretreatment with CI-1 in combination with a rAd-p53 gene therapy would be expected to reduce the dosage required to achieve a 5-log purge by approximately 3-4 logs. Thus an effective dose of ACN53 for a 5 log purge of a stem cell product would be approximately  $1 \times 10^7$  to approximately  $5 \times 10^8$  PN/ml in the presence of 10 μM CI-1.

40

35

50

5

EXAMPLES

10           The following examples provide the methodology and results of  
experiments demonstrating the recombinant adenoviruses expressing the p53. It  
5           will be apparent to those of skill in the art to which the invention pertains, the  
present invention may be embodied in forms other than those specifically disclosed  
15           above, without departing from the spirit or essential characteristics of the invention.  
The particular embodiments of the invention described below, are therefore to be  
considered as illustrative and not restrictive. In the following examples, "g" means  
10           grams, "ml" means milliliters, "mol" means moles, "C" means degrees Centigrade,  
"min." means minutes, "FBS" means fetal bovine serum, and "PN" specifies  
20           particle number.

Example 1. Construction of Viral Vectors

25           A viral vector backbone was created based on a human adenovirus type 5  
genome comprising deletions of the E1a and E1b and protein IX gene functions and  
partial deletion of the E3 coding region. Specifically, the deletions of base pairs  
355 to 3325 was used to eliminate E1a and E1b functions, deletion of base pairs  
3325 to 4021 was used to eliminate protein IX function and deletions of 28592 to  
30           30470 were used to eliminate E3 functions. See Wills, *et al.* (1994) Human Gene  
Therapy 5:1079-1088. The DNA sequence encoding the cytomegalovirus  
immediate early promoter without the presence of the CMV promoter intron was  
35           inserted into the rAd viral genome. This vector without an exogenous transgene  
was used as control vector and was designated ZZCB. The wildtype p53 coding  
25           sequence was inserted into this vector backbone so as to achieve expression of the  
p53 sequence under control of the CMV promoter. This vector was denoted  
p53 and is also referred to interchangeably as FTCB.

Example 2. Culture of Tumor Cell Lines

40           Hep 3B 2.1-7 cells were obtained from the American Type Culture  
Collection, Peoria, IL under accession number ATCC # HB 8064). NCI-H596  
45           cells were obtained from the American Type Culture Collection, Peoria, IL under  
accession number ATCC # HTB 178). NCI-H596 cells were grown in Ham's F-  
12 DMEM (commercially available from Irvine Scientific) supplemented with  
50           sodium pyruvate and 10% fetal bovine serum. HLF cells were obtained from the

5

10

Japanese Cancer Research Resource Bank, National Institute of Health, Tokyo, SK-Hep1 cells were obtained from the American Type Culture Collection, Peoria, IL under accession number ATCC #HTB 52). RKO cells were obtained from M. Brattain, Medical College Hospital, Toledo, Ohio. DLD-1 cells were obtained from the American Type Culture Collection, Peoria, IL under accession number ATCC # CCL 221). Hep 3B 2.1-7 cells were obtained from the American Type Culture Collection, Peoria, IL under accession number ATCC # HB 8064). NCI-H596 cells were obtained from the American Type Culture Collection, Peoria, IL under accession number ATCC # HTB 178). All cell lines with the exception of NCI-H596 were grown in Delbecco's Modified Eagles media (DME) supplemented with sodium pyruvate and 10% fetal bovine serum. NCI-H596 cells were grown in Ham's F-12 DME supplemented with glutamine and 10% fetal bovine serum.

15

20

25

Example 3. Apoptotic Effect Of Virus and/or CI-1 on Tumor Cells

An aliquot containing approximately  $1 \times 10^6$  cells of each type was placed in a T-225 flask. The effect of varying concentrations of rAd-p53 (from  $1 \times 10^7$  to  $2 \times 10^9$  ACN53 particles/ml of solution) was investigated in combination with CI-1 in a range of 5-20 $\mu$ M. In each instance, the cell line was infected with  $1 \times 10^7$  - $1 \times 10^9$  particles/ml of cell culture with the ACN53 using the empty cassette virus (ZZCB) as a control. In each instance, the cells were exposed to the virus for a period of one hour. At the end of this time, the virus was washed off the from the cells and fresh media containing an appropriate concentration of CI-1 was added.

30

HLF cells were infected at increasing log concentrations of rAd-p53 ranging from  $1 \times 10^3$  to  $1 \times 10^9$  for one hour at which time virus was washed off and replaced with fresh media (viral infection with no treatment) or with 10 $\mu$ M calpain inhibitor 1. Cells were assayed for apoptosis by annexin V-FITC staining at 24 and 42 hours post-infection.

35

CI-1 was obtained from Boehringer-Mannheim Biochemicals (Indianapolis, IN). The CI-1 containing media was prepared as follows. CI-1 was diluted in dimethylformamide (DMF) to a concentration of 33.3 $\mu$ M/ $\mu$ l. The CI-1 solution in DMF was added to achieve a final concentration in the media of 5 or 10  $\mu$ M final concentration of CI-1. An equivalent volume of DMF alone was added to the control cells. Calpain inhibitor 2, N-acetyl-leu-leu-methioninal (Boehringer Mannheim) was added to cell lines at 5-50 $\mu$ M final concentration with or without rAd-p53 for 26 hours.

40

45

50

5

At a time of 17 (or 26 hours) post infection, the percentage of cells undergoing apoptosis was determined by conventional apoptotic markers. Apoptosis was monitored visually by observing blebbled nuclei characteristic of apoptosis, by propidium iodide staining (using propidium iodide commercially available from Molecular Probes, Inc.) followed by flow cytometric analysis to look for subgenomic populations of cells, and by labeling cells with annexin V-FITC (commercially available from Boehringer Mannheim) in substantial accordance with the instructions provided by the manufacturer, followed by flow cytometric analysis on a FACScan Flow Cytometer (commercially available from Becton Dickinson).

The results of these experiments are presented in Figures 1 and 3 of the attached drawings and Tables 2 and 3 above. As can be seen from the data presented, the combination of ACN53 and CI-1 markedly increased the percentage of cells undergoing apoptosis in comparison with the administration of either agent alone and in comparison with control virus.

**Example 4. Determination of G0/G1 Phase Cell Cycle Arrest by Treatment with CI-1**

In order to determine any increases in p53 function in response to calpain inhibitor 1, the quantity of cells undergoing G0/G1 cell cycle arrest in response to CI-1 administration, was assayed by bromodeoxyuridine labeling of cells. Each of the cell lines described in Example 2 above were exposed to a concentration of 0 or 5  $\mu$ M CI-1 (in DMF) as described in Example 3 above. Cell lines treated with DMF alone or 5 $\mu$ M final concentration of calpain inhibitor 1 for 17 hours were pulse labeled with a final concentration of 10 $\mu$ M bromodeoxyuridine (Boehringer Mannheim) for two hours. Cells were harvested for bivariate BrdU/DNA flow cytometric analysis by fixation in 70% ethanol, followed digestion with .08% pepsin for 30 minutes at 37 degrees. Cells were centrifuged at 1500RPM, and 2N HCL was added. Cells were incubated at 37 degrees for 20 minutes, followed by addition of 1M sodium borate. Cells were washed in IFA/tween 20 (.01M HEPES, .005% sodium azide, 0.5% tween 20, 5% FBS, 3.75M NaCl), and anti-BrdU antibody, diluted 1:10 in IFA without tween 20, was added for 30 minutes. Cells were washed in IFA/tween 20, and incubated in IFA/tween 20/RNase for 15 minutes at 37 degrees.

Cells that had incorporated BrdU were stained using a FITC conjugated monoclonal antibody to BrdU (commercially available from Becton-Dickinson) and

5

detected by FACS analysis on a FACScan FACS machine (commercially available from Becton Dickinson).

10

Example 5. Western blotting

15

At 17 hours post treatment, cells were lysed in protein lysis buffer (50mM tris, 250mM NaCl, 50mM NaF, 5mM EDTA and 0.1% NP-40 with 1mM PMSF). Cell lysates were subjected to electrophoresis. 10 $\mu$ g of protein was added per lane on a 12% polyacrylamide gel and transferred onto nitrocellulose membranes. The membranes were subjected to western blot analysis using antibodies specific for p53 or p21 (Calbiochem, p53 antibody Ab-6, and p21 antibody Ab-7). HRP-conjugated secondary antibody (Amersham) was added for one hour at which time the blots were washed. Blots were developed using enhanced chemiluminescence detection system (Amersham) and quantitated using NIH imaging analysis.

20

Example 6. PCR and RT/PCR

25

A. Quantitative PCR Assay:

30

Taqman® EZ RT-PCR core reagents (rTth DNA polymerase, AmpErase UNG, deoxy ATP, deoxy CTP, deoxy GTP, deoxy UTP, 5x Taqman® EZ buffer, and manganese acetate solution) were obtained from Perkin-Elmer, as Part No. N808-0236. Oligonucleotide Primer "A" (5' Taqman® p53 5'-AACGGTACTCCGCCACC) and Primer "B" (3' Taqman® p53; 5'-CGTGTCAACCGTCGTGGA) and 10  $\mu$ M Taqman® Probe (5'-FAM-CAGCTGCTCGAGAGGTTTCCGATCC-TAMRA) were obtained from Perkin Elmer. Diethyl pyrocarbonate (DEPC) treated water was obtained from United States Biochemical Cat. No. 70783 or equivalent.). tRNA was obtained from Sigma Cat. No. R5636, 10  $\mu$ g/ml.

40

A quantity of reverse transcription master mix (RT Master Mix ) was prepared proportional to the number of samples to be amplified. RT Master Mix for one sample comprises: 7  $\mu$ L Mn(OAc)<sub>2</sub>, 10  $\mu$ L Gene Amp 5X Taqman® Buffer, 3  $\mu$ L Oligonucleotide Primer "A", 10  $\mu$ m, 3  $\mu$ L Oligonucleotide Primer "B", 10  $\mu$ m, 6  $\mu$ L deoxynucleotide diphosphates, 0.5  $\mu$ L of rTth polymerase, 0.5  $\mu$ L UNG, and 1.5  $\mu$ L Taqman® Probe, 10  $\mu$ m and Q.S. to 49  $\mu$ L with diethyl pyrocarbonate (DEPC) treated water.

45

50

55

5

10

Add 49  $\mu$ L of the RT Master Mix to each tube (Perkin Elmer, Part No. N801-0933) and add 1  $\mu$ L of sample or cRNA standard (see attachments) or RNase free water to each tube. Cap (Perkin Elmer, Part No. N801-0935) tubes and centrifuge at 600 rpm for 2 minutes . Transfer all the tubes to the thermocycler.

15

- 5 Program the thermocycler (Perkin Elmer ABI Prism 7700 Sequence Detector) to use the following conditions in sequence:
- 50°C for 2 minutes.
  - 60°C for 30 minutes.
  - 95°C for 10 minutes.
- 10           10           • Denaturation step 95°C for 15 seconds.
- Annealing step 61°C for 1 minute.

Repeat steps for an additional 39 cycles. The total number of cycles is 40.

25

#### B. PCR ASSAY

30

- 15           The following materials were obtained from Perkin Elmer Corporation under Part No. N808-0028: Gene Amp 10X Taqman Buffer A, 25 mM MgCl<sub>2</sub>, 5  $\mu$ M Oligonucleotide Primer "A", 5  $\mu$ M Oligonucleotide Primer "B", 5 units/ $\mu$ L AmpliTaq<sup>®</sup> Gold DNA Polymerase, 10  $\mu$ M Taqman Probe. Deoxynucleotide Triphosphates , dATP, dCTP, and dGTP are 10 mM. dUTP is 20 mM. Equal volumes of dNTPs were combined to give a concentration of 2.5 mM for dATP, dCTP, and dGTP and a concentration of 5 mM for dUTP. (Perkin Elmer Part No. N808-0095) and 1 unit/ $\mu$ L Uracil-N-glycosylase (UNG) (Perkin Elmer, Part No. N808-0096). Diethyl Pyrocarbonate (DEPC) treated water was obtained from United States Biochemical (Cat. No. 70783. The following primers and probe
- 20           25           were used p53 PCR Primer "A" (5' Taqman p53) from 5'-3' is AAC GGT ACT CCG CCA CC; Primer "B" (3' Taqman p53) from 5'-3' is CGT GTC ACC GTC GTG GAA; Taqman probe (p53 Taqman Probe) from 5'-3' is FAM-CAG CTG CTC GAG AGG TTT TCC GAT CC-TAMRA. The following primers and probe
- 30           45           were used for B-Actin PCR.; Sequence of Primer "A" (5' Taqman B-Actin) from 5'-3' is TCA CCC ACA CTG TGC CCA TCT ACG A; Primer "B" (3' Taqman B-Actin) from 5'-3' is CAG CGG AAC CGC TCA TTG CCA ATG G; Taqman probe

40

45

50

5

(B-Actin Taqman Probe) from 5'-3' is FAM-ATG CCC CCC CCA TGC CAT CCT GCG T-TAMRA.

10

An amount of Master Mix (described above) was prepared equal to the number of samples plus one to insure there is enough for all tubes. Add 49  $\mu$ L of the Master Mix to each tube. Add 1  $\mu$ L of sample to each tube (Perkin Elmer, Part No. N801-0933). The tubes were centrifuged 600 rpm for 3 minutes and transferred to thermocycler (Perkin Elmer, ABI Prism 7700 Sequence Detector). The thermocycler was programmed to use the following conditions in sequence:

15

- 50°C for 2 minutes.
- 95°C for 10 minutes.
- Denaturation step 94°C for 15 seconds.
- Annealing step 60°C for 1 minute.

20

Repeat steps 3.1.6.4 to 3.1.6.5 for an additional 39 cycles. The total number of cycles is 40.

- 25 15 Hold step (4°C on hold).

30

**Example 7. Evaluation of In Vivo CTL Response**

C57BL/6 mice (2 mice per dose) were injected intravenously with  $9 \times 10^9$  particles/animal (iv/200 $\mu$ l) of a recombinant adenoviral vector encoding the  $\beta$ gal reporter gene under control of the CMV promoter. Naive mice were employed as controls. The spleens were harvested at day 10 for immunological analysis. Livers were harvested for analysis of  $\beta$ -gal transgene expression. Cells were dispersed to a single cell suspension and washed 3 times. The cells were be resuspended complete RPMI-10 (RPMI + 10% FCS, 2ME (5 $\mu$ M), glutamine, Na pyruvate, Pen/Strep). Responder CTL cells were seeded in 24-well plates at  $8 \times 10^6$  cells per well in 1.5 ml RPMI-5%. The responder CTL cells were restimulated by adding syngeneic (C57BL/6) spleen cells that were transduced for 6 hours with  $2 \times 10^{10}$  BGCG particles/ml and then mitomycin treated to inhibit proliferation and/or activation of stimulator cell populations. The responder CTL were co-cultured with the stimulator cells at 37°C in a humidified incubator for seven days. Concanavalin A supernate (10%) was added to the CTL restimulation cultures on day 2 to promote CTL expansion. The Effector CTL cells were harvested, washed 2 times and counted to enumerate the CTL effector cells. The CTL blast cells were plated in

35

40

45

50

5

96-well plates (round-bottom) at various cell densities with  $1 \times 10^4$   $^{51}\text{Cr}$  -labeled  
10 P815 target cells expressing antigen (EL4 target cells were transduced overnight  
with  $1 \times 10^{10}$  PFU/ml BGCG to induce antigen expression and then labeled 2hr with  
 $^{51}\text{chromium}$ ) to give various Effector to target ratios in a total volume of 200 $\mu\text{l}$   
5 RPMI-10. The Effector CTL cells were co-cultivated with the target cells for 6  
hours and the specific  $^{51}\text{Cr}$  release were determined by counting harvested  
15 supernates (100 $\mu\text{l}$ ) in the  $\gamma$  counter.

Example 8. Gel shift assays for NF-kB and AP-1

10 Double-stranded oligonucleotides containing high-affinity binding sites for  
NF-kB (Promega E329) or AP-1 (Promega E320) were labeled using [ $\gamma$ -32P]ATP  
(3,000 Ci/mmol) and T4 polynucleotide kinase and purified using MicroSpin G-25  
columns. Nuclear extracts (1 $\mu\text{g}$  protein) were incubated in a 10  $\mu\text{l}$  (final volume)  
25 reaction mixture containing 10 mM Tris-HCl (pH 7.5), 0.5 mM DTT, 0.5 mM  
EDTA, 1 mM MgCl<sub>2</sub>, 4% glycerol and 50 ng/ml poly(dI-dC) at room temperature  
for 10 min. Labeled oligonucleotides (~100,000 cpm) were then added and the  
reaction mixtures were incubated for another 20 min at room temperature. After 20  
min incubation, 5  $\mu\text{l}$  of 60% glycerol was added to each reaction and the samples  
30 were subjected to native polyacrylamide gel electrophoresis. After electrophoresis  
20 gels were dried and exposed to an X-ray film at -70°C.

35

40

45

50

**Claims**

**5**

**10**

**15**

**20**

**25**

**30**

**35**

**40**

**45**

**50**

**55**

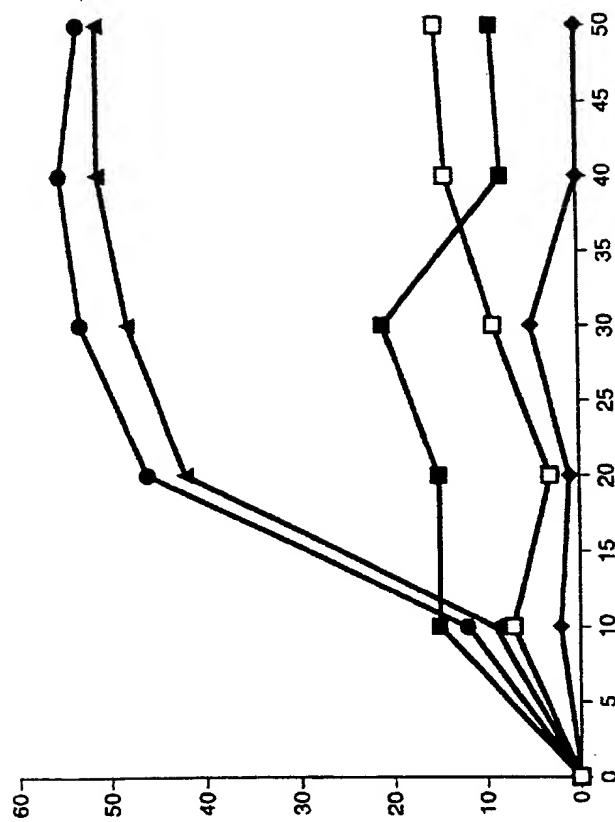
5

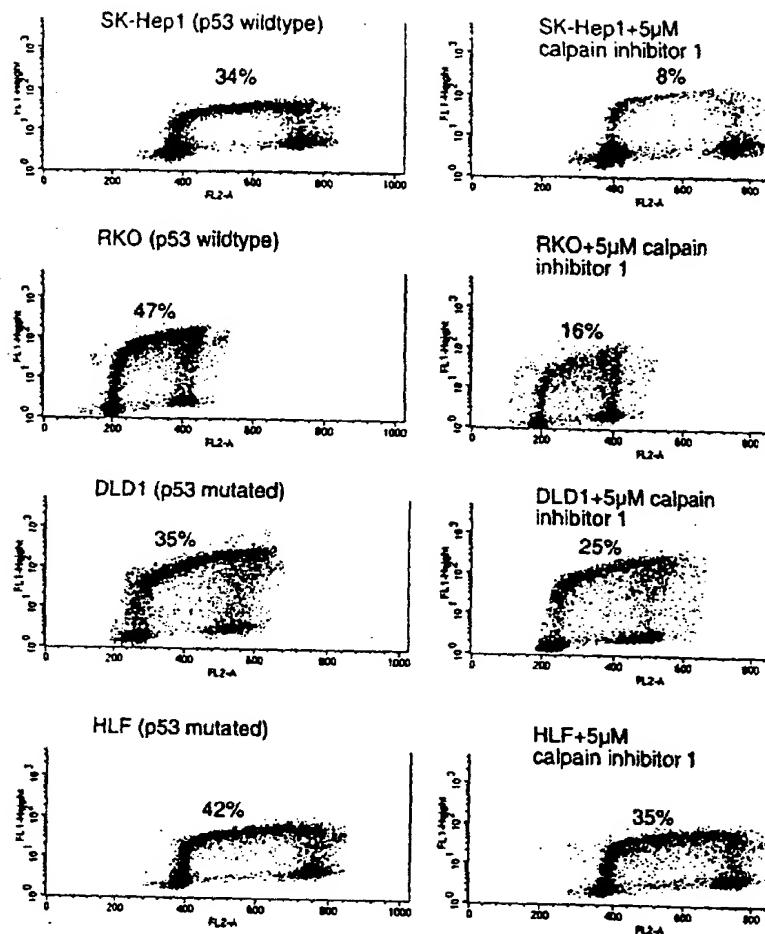
**CLAIMS**

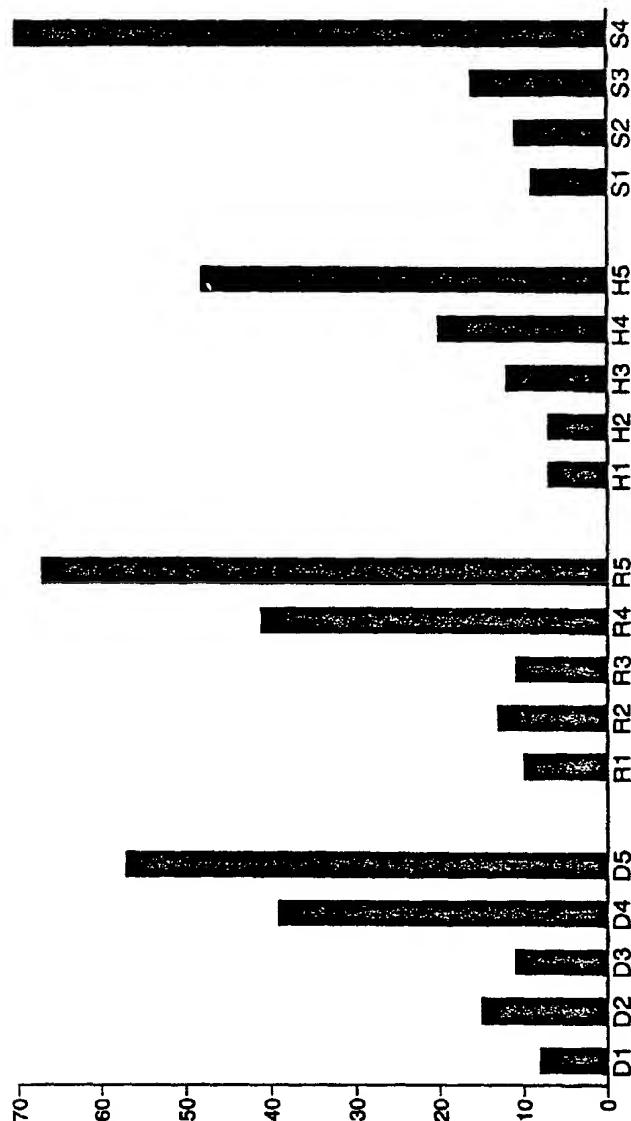
10

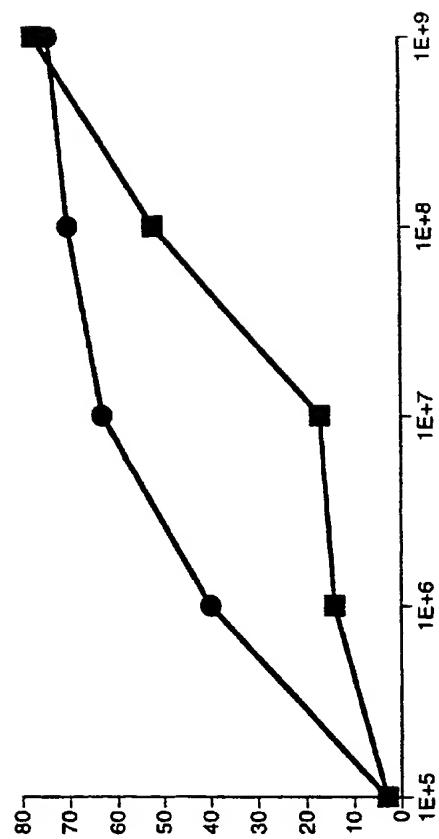
We claim:

1. A method to enhance apoptosis in a cell by the administration of p53 in combination with a calpain inhibitor.
- 5 2. The method of claim 1 wherein the calpain inhibitor is calpain inhibitor 1.
- 15 3. The method of claim 2 wherein p53 is introduced to the cell via an adenoviral vector.
4. The method of claim 3 whereins said p53 sequence is under the control of the CMV promoter.
- 10 5. A method of increasing the infectivity of a cell to a viral vector by treatment of the cell with a calpain inhibitor.
- 20 6. The method of claim 5 wherein said viral vector is an adenoviral vector.
7. The method of claim 6 wherein the calpain inhibitor is calpain inhibitor 1.
- 25 8. A method of enhancing transcription of a therapeutic transgene from the CMV promoter.
9. The method of claim 8 wherein the transgene is p53.
10. The method of claim 9 wherein the transgene is encoded by an adenoviral vector.
- 30 11. A method of suppressing the *in vivo* CTL response to viral vectors by the administration of the viral vector in combination with a calpain inhibitor.
12. The method of claim 11 wherein the calpain inhibitor is calpain inhibitor 1.
- 35 13. A pharmaceutical formulation comprising a an adenoviral vector encoding p53 and a calpain inhibitor in a pharmaceutically acceptable carrier.
14. The formulation of claim 13 wherein the calpain inhibitor is calpain inhibitor 1.
- 25 15. The formulation of claim 14 further comprising a delivery enhancing agent.
16. A method of ablating neoplastic cells in a mammalian organism *in vivo* by the co-administration of a calpain inhibitor and p53.
- 40 17. The method of claim 6 wherein the calpain inhibitor is calpain inhibitor 1.
18. The method of claim 2 whercin p53 is introduced to the cell via an adenoviral vector.
- 45 19. A method of ablating neoplastic cells in a population of normal cells contaminated by said neoplastic cells *ex vivo* by the co-administration of a recombinant adenovirus encoding p53 and a calpain inhibitor to said population.
- 30 20. The method of claim 19 wherein the calpain inhibitor is calpain inhibitor 1.

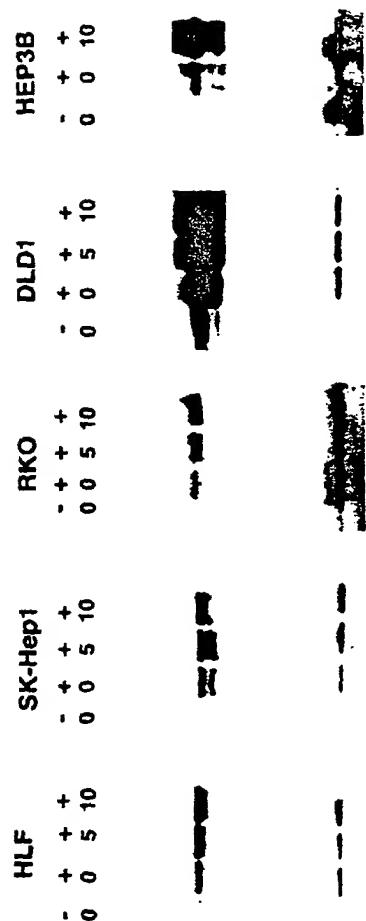
**FIGURE 1**

**FIGURE 2**

**FIGURE 3**



**FIGURE 4**



**FIGURE 5**

C57 BL/6 mouse livers  
X-gal staining for B-galactosidase



120 mg/kg calpain inhibitor 1      PBS+BGCG  
+BGCG

FIGURE 6

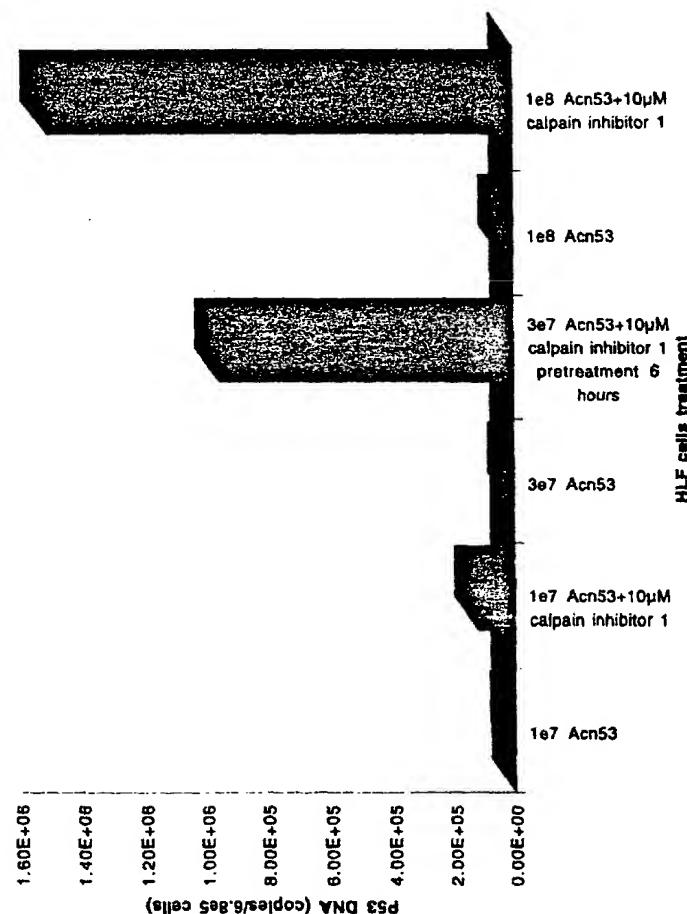
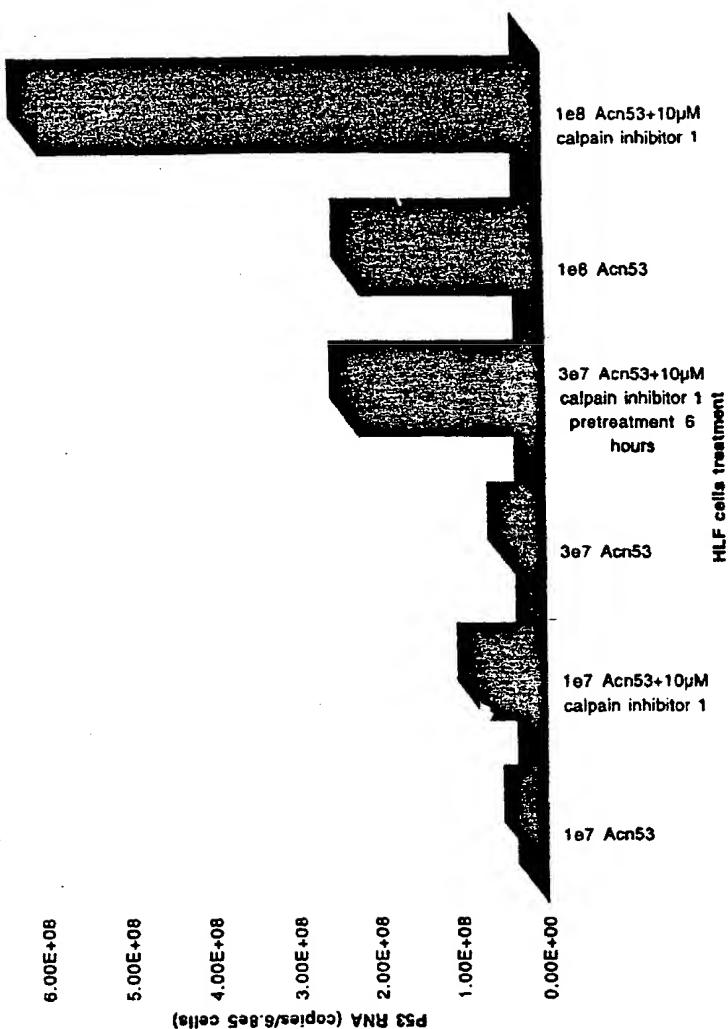


FIGURE 7A



**FIGURE 7B**

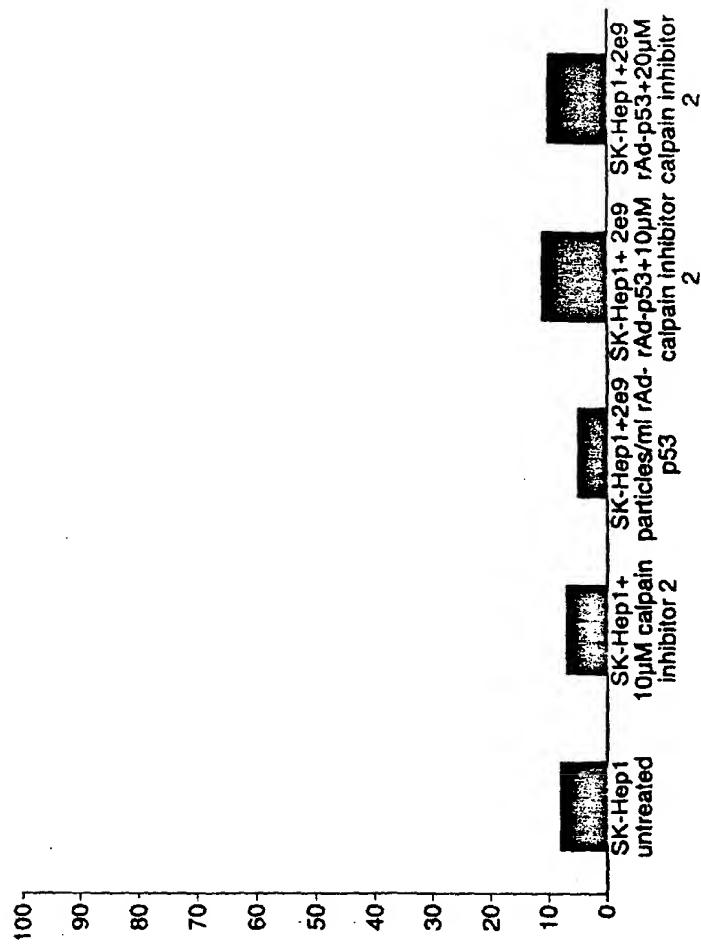
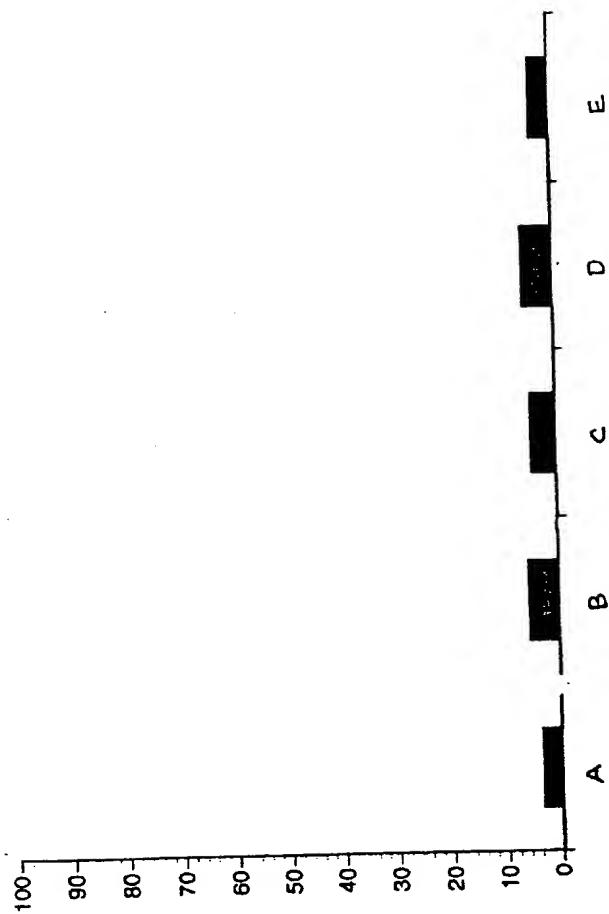
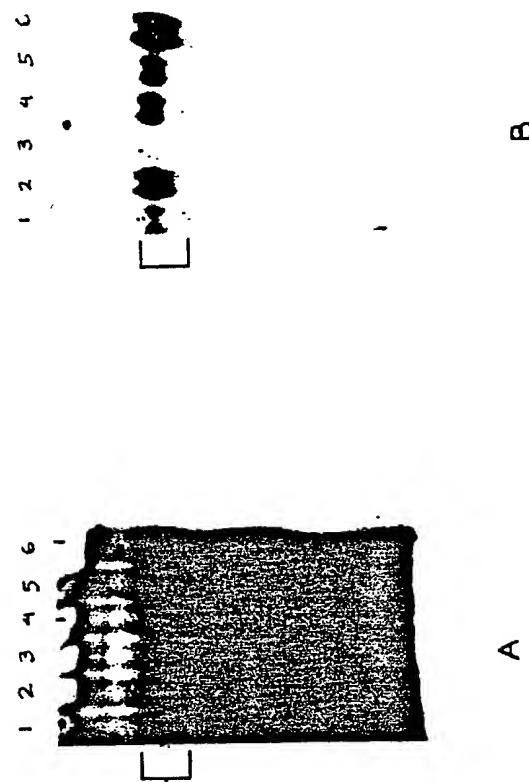


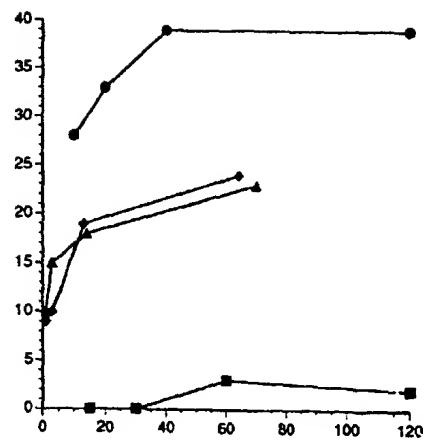
FIGURE 8

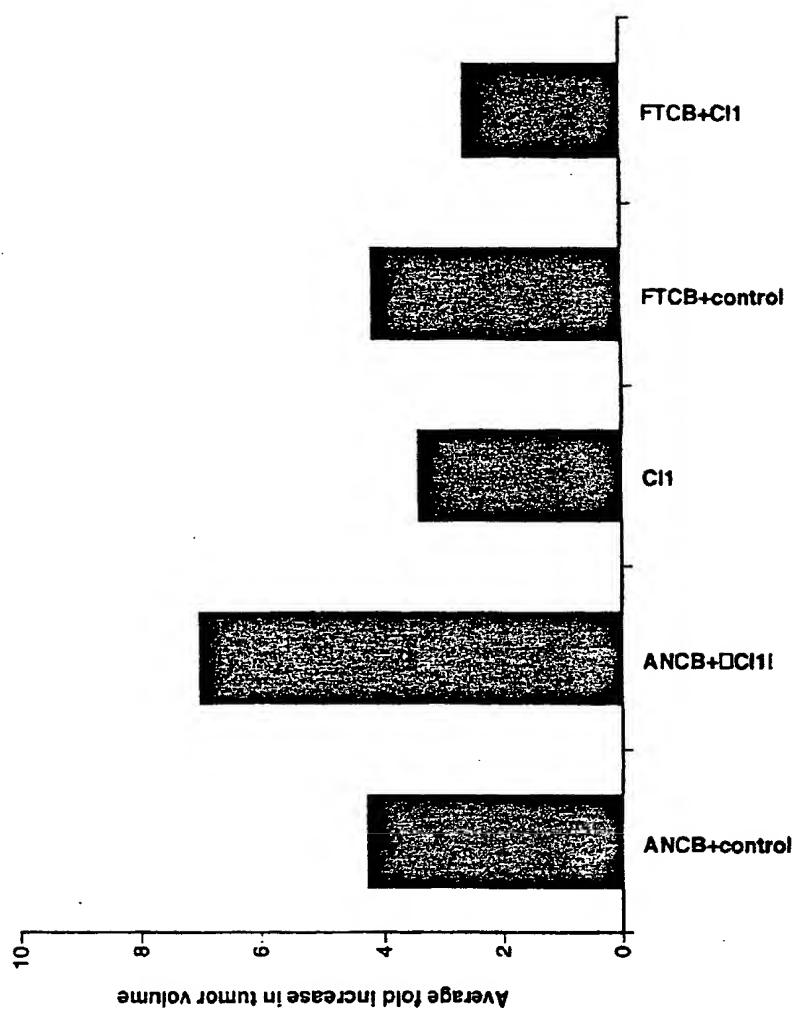


**FIGURE 9**



**FIGURE 10**

**FIGURE 11**

**FIGURE 12A**

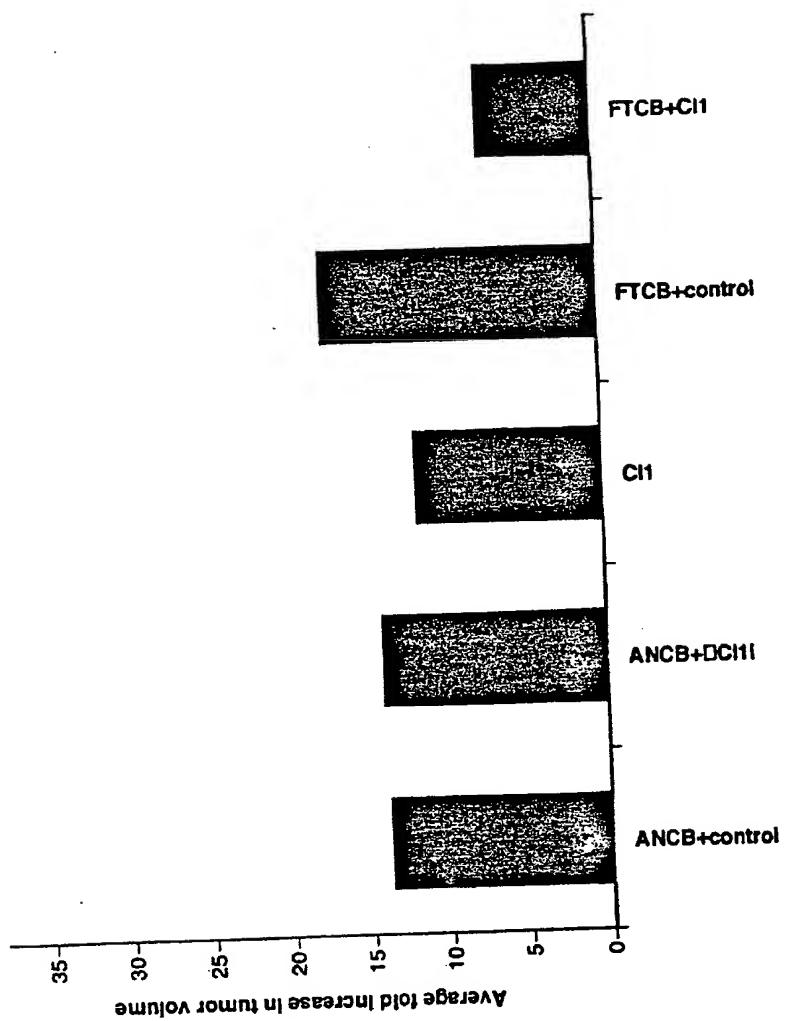
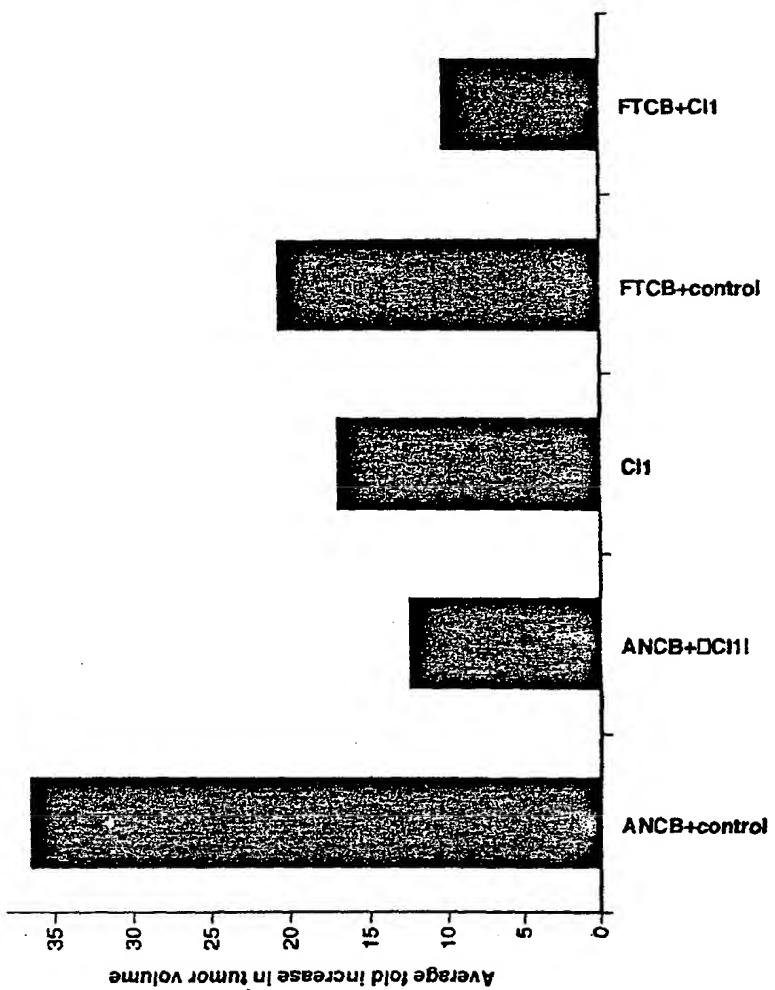


FIGURE 12B



**FIGURE 12C**



## INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(51) International Patent Classification: <b>A61K 38/57, A61K 38/17, A61K 48/00, A61P 35/00</b>	<b>A3</b>	(11) International Publication Number: <b>WO 00/21575</b>	
		(43) International Publication Date:	<b>20 April 2000 (20.04.2000)</b>
(21) International Application Number: <b>PCT/US99/21453</b>		Published	
(22) International Filing Date: <b>14 October 1999 (14.10.1999)</b>			
(30) Priority Data: <b>09/172,685 15 October 1998 (15.10.1998) US</b>			
(60) Parent Application or Grant CANJI, INC. [/]; O. ATENCIO, Isabella, A. [/]; O. LAFACE, Drake, M. [/]; O. RAMACHANDRA, Muralidhara [/]; O. SHABRAM, Paul, W. [/]; O. MURPHY, Richard, B. ; ()			
<p>(54) Title: CALPAIN INHIBITORS AND THEIR APPLICATIONS            (54) Titre: INHIBITEURS DE CALPAINE ET APPLICATIONS DE CES INHIBITEURS</p> <p>(57) Abstract</p> <p>The present invention provides a method to enhance apoptosis in a cell by the administration of p53 in combination with a calpain inhibitor. The present invention provides a method of increasing the infectivity of a cell to a viral vector by treatment of the cell with a calpain inhibitor. The present invention further provides a method of enhancing transcription of a therapeutic transgene from the CMV promoter. The present invention also provides a method of suppressing the in vivo CTL response to viral vectors by the use of calpain inhibitors. The present invention further provides a pharmaceutical formulation of p53 and a calpain inhibitor in a pharmaceutically acceptable carrier. The present invention provides a method of ablating neoplastic cells in a mammalian organism in vivo by the co-administration of a calpain inhibitor and p53. The present invention also provides a method of ablating neoplastic cells in a population of normal cells contaminated by said neoplastic cells ex vivo by the administration of a recombinant adenovirus in combination with a calpain inhibitor to said population.</p> <p>(57) Abrégé</p> <p>Cette invention concerne un procédé qui permet d'accroître l'apoptose dans une cellule et qui consiste à administrer du p53 combiné à un inhibiteur de calpaïne. Cette invention concerne également un procédé qui permet d'accroître l'infectivité d'une cellule par un vecteur viral et qui consiste à traiter la cellule à l'aide d'un inhibiteur de calpaïne. Cette invention concerne en outre un procédé permettant d'accroître la transcription d'un transgène thérapeutique à partir du promoteur CMV. Cette invention concerne aussi un procédé permettant de supprimer la réponse CTL in vivo à des vecteurs viraux à l'aide d'inhibiteurs de calpaïne. Cette invention concerne également des formulations pharmaceutiques de p53 et d'un inhibiteur de calpaïne dans un excipient acceptable sur le plan pharmaceutique. Cette invention concerne aussi un procédé d'ablation in vivo de cellules néoplastiques dans l'organisme d'un mammifère, lequel consiste à effectuer l'administration conjuguée d'un inhibiteur de calpaïne et de p53. Cette invention concerne enfin un procédé d'ablation de cellules néoplastiques ex vivo dans une population de cellules normales qui a été contaminée par lesdites cellules néoplastiques, lequel procédé consiste à administrer une combinaison d'un adénovirus recombinant et d'un inhibiteur de calpaïne à ladite population.</p>			

PCT

WORLD INTELLECTUAL PROPERTY ORGANIZATION  
International Bureau



INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(51) International Patent Classification 7 : <b>A61K 38/57, 38/17, 48/00, A61P 35/00</b>	A3	(11) International Publication Number: <b>WO 00/21575</b> (43) International Publication Date: <b>20 April 2000 (20.04.00)</b>
(21) International Application Number: <b>PCT/US99/21453</b> (22) International Filing Date: <b>14 October 1999 (14.10.99)</b>		(81) Designated States: AE, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, CA, CH, CN, CR, CZ, DE, DK, DM, EE, ES, FI, GB, GD, GE, HR, HU, ID, IL, IN, IS, JP, KG, KR, KZ, LC, LK, LR, LT, LU, LV, MA, MD, MG, MK, MN, MX, NO, NZ, PL, PT, RO, RU, SE, SG, SI, SK, SL, TJ, TM, TR, TT, TZ, UA, UZ, VN, YU, ZA, ARIPO patent (GH, GM, KE, LS, MW, SD, SL, SZ, TZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GW, ML, MR, NE, SN, TD, TG).
(30) Priority Data: 09/172,685 15 October 1998 (15.10.98) US		Published <i>With international search report.</i>
(71) Applicant: CANJI, INC. [US/US]; 3525 John Hopkins Court, San Diego, CA 92121 (US).		(88) Date of publication of the international search report: <b>23 November 2000 (23.11.00)</b>
(72) Inventors: ATENCIO, Isabella, A.; 7873 Avenida Navidad #261, San Diego, CA 92122 (US). LAFACE, Drake, M.; 8989 Scorpions Way, San Diego, CA 92126 (US). RAMACHANDRA, Muralidhara; 14536 North Church Square, San Diego, CA 92128 (US). SHABRAM, Paul, W.; 149 Peppertree Lane, Olivenhain, CA 92024 (US).		
(74) Agents: MURPHY, Richard, B. et al.; Schering-Plough Corporation, Patent Dept., K-6-1 1990, 2000 Galloping Hill Road, Kenilworth, NJ 07033-0530 (US).		
(54) Title: CALPAIN INHIBITORS AND THEIR APPLICATIONS		
(57) Abstract		
<p>The present invention provides a method to enhance apoptosis in a cell by the administration of p53 in combination with a calpain inhibitor. The present invention provides a method of increasing the infectivity of a cell to a viral vector by treatment of the cell with a calpain inhibitor. The present invention further provides a method of enhancing transcription of a therapeutic transgene from the CMV promoter. The present invention also provides a method of suppressing the <i>in vivo</i> CTL response to viral vectors by the use of calpain inhibitors. The present invention further provides a pharmaceutical formulation of p53 and a calpain inhibitor in a pharmaceutically acceptable carrier. The present invention provides a method of ablating neoplastic cells in a mammalian organism <i>in vivo</i> by the co-administration of a calpain inhibitor and p53. The present invention also provides a method of ablating neoplastic cells in a population of normal cells contaminated by said neoplastic cells <i>ex vivo</i> by the administration of a recombinant adenovirus in combination with a calpain inhibitor to said population.</p>		

**FOR THE PURPOSES OF INFORMATION ONLY**

Codes used to identify States party to the PCT on the front pages of pamphlets publishing international applications under the PCT.

AL	Albania	ES	Spain	LS	Lesotho	SI	Slovenia
AM	Amenia	FI	Finland	LT	Lithuania	SK	Slovakia
AT	Austria	FR	France	LU	Luxembourg	SN	Senegal
AU	Australia	GA	Gabon	LV	Larvia	SZ	Swaziland
AZ	Azerbaijan	GB	United Kingdom	MC	Monaco	TD	Chad
BA	Bosnia and Herzegovina	GE	Georgia	MD	Republic of Moldova	TG	Togo
BB	Barbados	GH	Ghana	MG	Madagascar	TJ	Tajikistan
BE	Belgium	GN	Guinea	MK	The former Yugoslav Republic of Macedonia	TM	Turkmenistan
BF	Burkina Faso	GR	Greece	MN	Mali	TR	Turkey
BG	Bulgaria	HU	Hungary	ML	Mongolia	TT	Trinidad and Tobago
BJ	Benin	IE	Ireland	MN	Mauritania	UA	Ukraine
BR	Brazil	IL	Israel	MR	Malawi	UG	Uganda
BY	Belarus	IS	Iceland	MW	Mexico	US	United States of America
CA	Canada	IT	Italy	NE	Niger	VN	Viet Nam
CF	Central African Republic	JP	Japan	NL	Netherlands	YU	Yugoslavia
CG	Congo	KE	Kenya	NO	Norway	ZW	Zimbabwe
CH	Switzerland	KG	Kyrgyzstan	NZ	New Zealand		
CI	Côte d'Ivoire	KP	Democratic People's Republic of Korea	PL	Poland		
CM	Cameroon	KR	Republic of Korea	PT	Portugal		
CN	China	KZ	Kazakstan	RO	Romania		
CU	Cuba	LC	Saint Lucia	RU	Russian Federation		
CZ	Czech Republic	LI	Liechtenstein	SD	Sudan		
DE	Germany	LK	Sri Lanka	SE	Sweden		
DK	Denmark	LR	Liberia	SG	Singapore		
EE	Estonia						

## INTERNATIONAL SEARCH REPORT

International Application No  
PCT/US 99/21453

A. CLASSIFICATION OF SUBJECT MATTER		
IPC 7 A61K38/57 A61K38/17 A61K48/00 A61P35/00		
According to International Patent Classification (IPC) or to both national classification and IPC		
B. FIELDS SEARCHED		
Minimum documentation searched (classification system followed by classification symbols) IPC 7 A61K		
Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched		
Electronic data base consulted during the international search (name of data base and, where practical, search terms used)		
C. DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	SHINOHARA K ET AL: "Apoptosis induction resulting from proteasome inhibition." BIOCHEMICAL JOURNAL, (1996 JUL 15) 317 ( PT 2) 385-8., XP000906742 page 385 abstract	1-4, 13-20
A	KUBBUTAT M H ET AL: "Proteolytic cleavage of human p53 by calpain: a potential regulator of protein stability." MOLECULAR AND CELLULAR BIOLOGY, (1997 JAN) 17 (1) 460-8., XP000906747 page 460 abstract	1-4, 13-20
	---	-/-
<input checked="" type="checkbox"/> Further documents are listed in the continuation of box C.		<input type="checkbox"/> Patent family members are listed in annex.
* Special categories of cited documents :		
*A* document defining the general state of the art which is not considered to be of particular relevance		
*E* earlier document but published on or after the international filing date		
*L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)		
*O* document referring to an oral disclosure, use, exhibition or other means		
*P* document published prior to the international filing date but later than the priority date claimed		
*T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention		
*X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone		
*Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.		
*Z* document member of the same patent family		
Date of the actual completion of the international search	Date of mailing of the international search report	
12 May 2000	02.08.2000	
Name and mailing address of the ISA	Authorized officer	
European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2940, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016	SITCH, D	

## INTERNATIONAL SEARCH REPORT

International Application No  
PCT/US 99/21453

C(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	PARIAT M ET AL: "Proteolysis by calpains: a possible contribution to degradation of p53" MOLECULAR AND CELLULAR BIOLOGY, US, WASHINGTON, DC, vol. 17, no. 5, May 1997 (1997-05), pages 2806-2815, XP002110841 ISSN: 0270-7306 page 2806 abstract ---	1-4, 13-20
A	HAMADA KATSUYUKI ET AL: "Adenovirus-mediated transfer of a wild-type p53 gene and induction of apoptosis in cervical cancer." CANCER RESEARCH 1996, vol. 56, no. 13, 1996, pages 3047-3054, XP002137540 ISSN: 0008-5472 page 3047 abstract ---	1-4, 13-20
A	EASTHAM J A ET AL: "IN VIVO GENE THERAPY WITH P53 OR P21 ADENOVIRUS FOR PROSTATE CANCER" CANCER RESEARCH, US, AMERICAN ASSOCIATION FOR CANCER RESEARCH, BALTIMORE, MD, vol. 55, no. 22, 15 November 1995 (1995-11-15), pages 5151-5155, XP000606345 ISSN: 0008-5472 page 5151 abstract ---	1-4, 13-20
A	LIU T -J ET AL: "APOPTOSIS INDUCTION MEDIANATED BY WILD-TYPE P53 ADENOVIRAL GENE TRANSFER IN SQUAMOUS CELL CARCINOMA OF THE HEAD AND NECK" CANCER RESEARCH, US, AMERICAN ASSOCIATION FOR CANCER RESEARCH, BALTIMORE, MD, vol. 55, 15 July 1995 (1995-07-15), pages 3117-3122, XP002027381 ISSN: 0008-5472 page 3117 abstract -----	1-4, 13-20

**INTERNATIONAL SEARCH REPORT**International application No.  
PCT/US 99/21453**Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)**

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1.  Claims Nos.: because they relate to subject matter not required to be searched by this Authority, namely:  
Although claims 1-4, 19, 20 (all partially), and 16-18 (all completely), are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.
2.  Claims Nos.: because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3.  Claims Nos.: because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

**Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)**

This International Searching Authority found multiple inventions in this international application, as follows:

1.  As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2.  As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3.  As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4.  No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

1-4, 13-20

**Remark on Protest**

- The additional search fees were accompanied by the applicant's protest.  
 No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

1. Claims: 1-4, 13-20

A method to enhance apoptosis in a cell by the administration of p53 in combination with a calpain inhibitor, pharmaceutical formulation appropriate for such use, a method of ablating neoplastic cells by the coadministration of a calpain inhibitor and p53/adenovirus encoding p53

2. Claims: 5-12

Use of calpain inhibitor in a method of gene therapy / in vitro transfection, as defined in claims 5-12, insofar as not covered by solution (i)